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Report of the United Nations High Commissioner for Human Rights to the Economic and Social Council**

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I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 48/141 of 20 December 1993. It focuses on the progress made in the implementation of goals outlined in the Millennium Declaration (General Assembly resolution 55/2), in particular as they affect the rights of people living with and affected by human immunodeficiency virus/ acquired immunodeficiency syndrome (HIV/AIDS), persons with disabilities, indigenous peoples and trafficked persons. Some of the issues covered in the present report, in particular those related to HIV/AIDS, disabilities and indigenous peoples, were already the focus of my report to the substantive session of the Economic and Social Council in 2001. The present report provides an update in this regard. There is an addendum to the present report containing the *Recommended Principles and Guidelines on Human Rights and Human Trafficking* (E/2002/68/Add.1).

II. The Millennium Goals

2. Adopted on 8 September 2000, at the largest gathering of world leaders ever assembled, the Millennium Declaration established a new global human order. Containing a statement of values, principles and objectives for the international agenda for the twenty-first century,[1] the Declaration also set deadlines for many collective actions. The ambitious yet achievable agenda addressed core global challenges in crucial areas such as peace and security, sustainable development, the protection of the environment and human rights, democracy and good governance. As the Secretary-General indicated, it lies within the power and responsibility of States to reach the goals that they have defined the Millennium Declaration.

3. Through the Millennium Declaration, world leaders reaffirmed their faith in the United Nations and in its Charter as indispensable foundations of a more peaceful, prosperous and just world. They recognized that they had a collective responsibility to uphold the principles of human dignity, equality and equity at the global level. The document aimed to prompt a re-examination of international cooperation and partnership and to explore prospects for a viable consensus on making people-centred development a central pillar of the work of the United Nations in the twenty-first century.

4. The fundamental values expressed in the Millennium Declaration could only be addressed if the approach to problem solution was revisited. At the request of the General Assembly in its resolution 55/162 of 14 December 2000, the Secretary-General prepared a report entitled, "Road map towards the implementation of the Millennium Declaration" (A/56/326). The "road map" report, which was intended to assist States in fulfilling their Millennium Declaration commitments, set out how the specified Millennium goals could be attained and outlined strategies to meet each particular goal. The strategies highlight cross-cutting issues where a coordinated approach can produce better results. This approach stems from recognition of the fact that the problems facing humanity today are closely interconnected. Each year, the Secretary-General will report to the General Assembly on the progress made to achieve specific Millennium goals.

A. The Millennium human rights goals

5. The Millennium Declaration sets out six commitments for promoting human rights, democracy and good governance. These six commitments could be termed the "Millennium human rights goals". States pledged to respect and fully uphold the Universal Declaration of Human Rights[2] and to strive for the full protection and promotion of civil, political, economic, social and cultural rights for all worldwide. They also vowed to strengthen the capacity of all countries to implement the principles and practices of democracy and human rights, including minority rights, to combat all forms of violence against women and to implement the Convention on the Elimination of All Forms of Discrimination against Women.[3] States promised to take measures to ensure respect for and the protection of the human rights of migrants, migrant workers and their families and committed themselves to eliminating increasing acts of racism and xenophobia in many societies and promoting greater harmony and tolerance in all societies. They agreed to work collectively for more inclusive political processes, allowing genuine participation by all citizens in all countries, and to ensure the freedom of the media to perform its essential role and the right of public access to information. The Office of the United Nations High Commissioner for Human Rights is committed to assisting States in realizing these significant goals.

6. The Office of the United Nations High Commissioner for Human Rights assisted in the preparation of the Secretary-General's "road map", in particular with regard to the strategies for advancing the Millennium human rights goals. The road map report outlined 23 strategies to fulfil the specific commitments outlined above, including by encouraging Governments to implement legislative reform and strengthen domestic law enforcement mechanisms to promote non-discrimination and ensure compliance with international standards. The strategies also stress the integration of human rights in all development activities, focused on the economic, social and cultural well-being of each member of society, as well as the integration of human rights norms into United Nations system policies, programmes and country strategies, including country frameworks and development loans. Another strategy is to provide assistance to Governments in their efforts to involve civil society in policy-making decisions. Many of these strategies were already specified in the Vienna Declaration and Programme of Action[4] adopted at the World Conference on Human Rights in 1993.

B. The Millennium development goals

7. The Millennium Declaration contains eight commitments relating to development and poverty reduction, called, in the road map, the Millennium development goals. The eight Millennium development goals promise to eradicate extreme poverty and hunger; to achieve universal primary education; to promote gender equality and empowerment of women; to reduce child mortality; to improve maternal health; to combat HIV/AIDS, malaria and other diseases; to ensure environmental sustainability; and to develop a global partnership for development. These goals are now helping to focus national and international action and set priorities. They represent a partnership between the developed and developing countries for the creation of a national and international environment that is conducive to development and the elimination of poverty.

8. Many of the Millennium development goals were already specified by international conferences, particularly those held in the 1990s. The International Conference on Financing for Development, held in Monterrey, Mexico, in March 2002, and the World Summit for Sustainable Development, to be held in Johannesburg, South Africa, in August and September 2002, also provide important opportunities to develop the specific targets necessary to achieve these goals. While the Monterrey Conference focused on the mobilization of resources for development priorities and recognized the need for new partnership between developed and developing countries, the focus of the Johannesburg Summit is the creation of a new agenda with effective strategies and partnerships to achieve human development goals.

9. The Office of the United Nations High Commissioner for Human Rights assisted in identifying the strategies presented in the road map report to address the eight Millennium development goals. These strategies include 18 targets and more than 40 indicators. The specific targets include: halving, by 2015, the proportion of people living on less than one dollar a day and the proportion of people who suffer from hunger; eliminating gender disparity in primary education no later than 2015; reducing maternal mortality by three quarters by 2015; halting and beginning to reverse the spread of HIV/AIDS by 2015; integrating the principles of sustainable development into country policies and programmes; halving the proportion of people who are unable to reach or afford safe drinking water by 2015; achieving significant improvement in the lives of the at least 100 million slum dwellers by 2020; and providing, in cooperation with pharmaceutical companies, access to affordable essential drugs in developing countries.

C. Mutually reinforcing goals

10. The strategies to reach the Millennium human rights goals and the Millennium development goals reinforce and complement each other. The Millennium Declaration sought to advance action on a reshaping of the role of Government to encourage the building of the democratic instruments necessary for human development, to enhance political and financial support for development and to facilitate consensus on promotion of human rights, social justice, ownership and good governance at the national and the international levels. Most if not all of the strategies to achieve the Millennium development goals operate within a human rights framework.

11. A human rights approach to the strategies to implement the Millennium development goals promises a sound fulfilment of these commitments. Human

rights law provides a value system, a legal framework, monitoring mechanisms and realistic tools that can strengthen the effectiveness of the implementation of these goals. The core economic, social and cultural rights provide principles and operational strategies to address the problems of poverty, hunger, disease, illiteracy and slum dwellings. International human rights law recognizes that many human rights cannot be implemented immediately and must be realized progressively, subject to available resources. Accordingly, the precise human rights obligations of the State can vary over time (progressive realization) and from one State to another (because of differing resource availability). The elaborate system of the special rapporteurs and independent experts of the Commission on Human Rights as well as the expert bodies established to monitor the implementation of the six core human rights treaties provide a wealth of information that could usefully assist in assessing to what degree the Millennium development goals have been fulfilled.

12. There should be a stronger emphasis on the international human rights framework for each Millennium development goal. Reporting on country implementation of the Millennium development goals and other implementation activities should include identification of actions taken by Governments to fulfil their international human rights obligations for each goal and the identification of the most vulnerable groups in relation to each goal.

III. Rights of persons living with HIV/AIDS

13. The report of the Secretary-General to the General Assembly on the progress made to achieve the Millennium commitments in 2002 will address the issue of the treatment and prevention of diseases, including HIV/AIDS.

14. The links between HIV/AIDS, poverty and development are reflected in the targets contained in the Millennium development goals, from the reversal of HIV/AIDS and the eradication of extreme poverty and hunger, to the reduction of child mortality, the promotion of gender equality and empowerment of women and cooperation with pharmaceutical companies to provide access to affordable essential drugs in developing countries. The past year has been marked by an increased appreciation of the role of human rights and the realization of the right to health, specifically, in relation to the achievement of these goals. There are unprecedented commitments by States, civil society, national institutions and the private sector to work in partnership towards their achievement.

15. In 2001, I devoted a major section of my report to the Economic and Social Council to the rights of people living with and affected by HIV/AIDS. The significance in human rights terms of this epidemic, and, conversely, the importance of human rights as a tool for fighting it, cannot be overstated. Forty million people are now living with HIV/AIDS. Around 22 million have already died and another 15,000 people are infected with HIV every day. In sub-Saharan Africa, AIDS is now the leading cause of death, and the epidemic is quickly spreading through Eastern Europe, Asia and the Caribbean.

16. Since my report in 2001, HIV/AIDS has been placed squarely on the international political agenda as a challenge to human development. The overwhelming burden of AIDS is shouldered by developing countries where poverty, underdevelopment and illiteracy are primary contributing factors to the spread and impact of the epidemic. The epidemic is reversing development gains by shortening life expectancy of working-age adults; shrinking the workforce; dramatically increasing the number of infant and child deaths; creating millions of orphans; and increasing poverty. It is undermining productivity, security, health care, food production, civil service systems, social cohesion and political stability. In the most affected countries, it is impeding foreign investment as investors avoid countries where a significant proportion of the labour force is HIV positive. In short, AIDS and poverty are now mutually reinforcing negative forces in many developing countries.

17. The impact of HIV/AIDS cuts across all human rights, including the right to development. The right to development places the human person at the centre of development, emphasizing participation, accountability, non-discrimination and empowerment. By inducing or deepening poverty, HIV/AIDS erodes economic and social rights, including the right to health, adequate housing, food and safe drinking water and education. Fuelled by AIDS-related stigma and discrimination, the epidemic compounds existing gender inequalities and negates civil and political rights such as political participation and access to

justice. In many instances, it denies affected individuals their right to participate in, contribute to, and enjoy economic, social, cultural and political development.

18. To be effective, the global response to the AIDS epidemic requires sustainable action to improve respect for all human rights. It also requires the implementation of development policies, including poverty eradication initiatives, that are both grounded in human rights and informed by the principles of participation, accountability, non-discrimination and empowerment. In that light, human rights should be considered as both vital tools to meet the development goal of reversing the spread of HIV/AIDS, as set out in the Millennium Declaration, and as indicators of progress towards its achievement.

19. In light of the many recent developments in the global fight against HIV/AIDS, the Office of the United Nations High Commissioner for Human Rights adopted a revised strategy on HIV/AIDS at the end of 2001. The Office is working closely with the Joint United Nations Programme on HIV/AIDS (UNAIDS) to strengthen the capacity of the United Nations human rights system to address the human rights dimensions of HIV/AIDS; to support the integration of the protection and promotion of human rights into national responses to HIV/AIDS; and to provide global and regional advocacy, including by encouraging Governments, NGOs, civil society, and national and international organizations to address the human rights dimensions of HIV/AIDS in their policies and activities. We have focused our efforts on the development of priority legal and policy issues, such as HIV/AIDS-related stigma and discrimination and the right to health.

A. Stigma and discrimination

20. At the historic twenty-fourth special session of the General Assembly in June 2001, Governments agreed to place human rights at the core of the global plan of action for fighting AIDS. The Declaration of Commitment adopted at the twenty-fourth special session reflects the international community's commitment to address the factors that make individuals vulnerable to HIV infection, including poverty, lack of education, discrimination, lack of information and/or commodities for self-protection and sexual exploitation. It reflects the commitment by Governments to integrate prevention, care, treatment, support and impact mitigation priorities into the mainstream of development planning, including in poverty eradication strategies, national budget allocations and sectoral development plans. Importantly, the Declaration of Commitment recognizes the need to take action against stigma, silence, discrimination and denial, all of which undermine prevention, care and treatment efforts and increase the impact of the epidemic on individuals, families and communities.

21. This recognition must be the starting point for an effective international response. The rights of people living with HIV/AIDS often are violated because of their presumed or known HIV status, causing them to suffer both the burden of the disease and the consequential loss of rights. This, in turn, contributes to the vulnerability of others to infection, since HIV and AIDS-related stigma and discrimination discourage individuals infected with and affected by HIV from contacting health and social services. This fear continues to prevent people from seeking treatment and care. The result is that those most in need of information, education and counselling fail to benefit from such services, even when these services are available. The Declaration of Commitment reflects global consensus on the importance of tackling stigma and discrimination through the adoption of legislation and other measures to eliminate all forms of discrimination against people living with HIV/AIDS and other vulnerable groups.

22. Recognizing the negative impact of and committing to take action against AIDS-related stigma and discrimination are vital first steps. To be meaningful, however, this commitment first requires an understanding of what stigma and discrimination are and an appreciation of how they relate to a lack of respect for other human rights. The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, which was held in Durban, South Africa, in September 2001, provided a unique opportunity to address these issues. My Office, in collaboration with UNAIDS and the World Health Organization (WHO), hosted a panel event in Durban to explore the relationship between multiple forms of racism and discrimination as determinants of and responses to the HIV/AIDS epidemic. The meeting provided the opportunity for people living with HIV/AIDS, Governments, United Nations agencies,

non-governmental organizations (NGOs) and national human rights institutions to discuss the links between poverty, racism, gender inequalities and HIV/AIDS. The meeting highlighted the need for a greater understanding of the impact of multiple forms of HIV/AIDS-related discrimination and for renewed efforts to counteract them.

23. At the World Conference, States acknowledged, that people infected with or affected by HIV/AIDS, as well as those presumed to be infected, also belong to groups vulnerable to racism and other forms of intolerance. States agreed to strengthen national mechanisms to promote and protect the human rights of victims of racism who are also infected with HIV/AIDS. They agreed to take measures to eliminate violence, stigma, discrimination, unemployment and other negative consequences arising from the epidemic. They committed themselves to the establishment of programmes to promote access to health care for victims of racism.

24. The United Nations Commission on Human Rights has long considered the impact of HIV/AIDS on human rights and, since 1996, has addressed the issue as part of its formal agenda. At its fifty-seventh session in 2001, the Commission adopted resolution 2001/51, recognizing the need for intensified efforts to ensure universal respect for and observance of human rights and fundamental freedoms for all so as to reduce vulnerability to HIV/AIDS and to prevent HIV/AIDS-related discrimination and stigma. The Commission has asked Governments, United Nations organs, programmes and the specialized agencies, international and non-governmental organizations and national human rights institutions to take all necessary measures for the protection of the human rights of persons infected and affected by HIV/AIDS, including by ensuring that their laws, policies and practices respect human rights in the context of HIV/AIDS.

25. These commitments provide an important framework for the next World AIDS Campaign (2002-2003), which will focus on stigma, discrimination and human rights. The Office of the United Nations High Commissioner for Human Rights has been engaged in the development of the conceptual framework for the campaign from the outset, and will continue to work in close cooperation with UNAIDS to foster the development of policies and strategies for fighting AIDS-related stigma and discrimination throughout, and well beyond, the duration of the campaign.

B. Access to HIV/AIDS-related medication

26. Providing access to affordable essential drugs in developing countries is one of the main strategies identified in the road map report for the achievement of the Millennium development goals. The vast majority of those living with HIV and AIDS do not have access to affordable medication, treatment and support. This not only prevents those affected from enjoying the highest attainable standard of health, it also impedes prevention efforts by discouraging people from being tested for HIV.

27. Considerable progress has been made to increasing access to HIV/AIDS-related medication in developing countries, both through domestic efforts and through increased international cooperation and assistance. The United Nations human rights system has been at the forefront of these efforts. In April 2002, the Commission on Human Rights adopted resolution 2002/32, in which it recognized that access to medication in the context of pandemics such as HIV/AIDS is one fundamental element for achieving progressively the full realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. The resolution called on States to pursue policies that would promote:

(a) The availability in sufficient quantities of pharmaceuticals and medical technologies used to treat pandemics such as HIV/AIDS or the most common opportunistic infections that accompany them;

(b) The accessibility to all without discrimination, including the most vulnerable sectors of the population, of such pharmaceuticals or medical technologies and their affordability for all, including socially disadvantaged groups;

(c) The assurance that pharmaceuticals or medical technologies used to treat pandemics such as HIV/AIDS or the most common opportunistic infections that accompany them, irrespective of their sources and countries of origin, are scientifically and medically appropriate and of good quality.

28. Significant developments have taken place since the adoption of that resolution. The Declaration of Commitment on HIV/AIDS, adopted at the twenty-sixth special session of the General Assembly, recognized that effective prevention, care and treatment strategies will require increased availability of, and

non-discriminatory access to, medication. At the Fourth Ministerial Conference of the World Trade Organization (WTO), in Doha, in November 2001, Governments adopted a declaration that stressed the need for the WTO Agreement on Trade-related Intellectual Property Rights (TRIPS) to be interpreted in a manner supportive of the right of States members of WTO to protect public health and promote access to medicines, in particular with regard to public health problems affecting developing countries, such as HIV/AIDS. The declaration sends an important signal regarding the need to balance intellectual property rights against public health priorities for developing countries.

29. These developments are important steps towards the achievement of the Millennium development goals. Ensuring that these developments have meaning for people living with and affected by HIV/AIDS will, however, require a massive increase in international assistance and cooperation. The establishment of the Global Fund to Fight AIDS, Tuberculosis and Malaria is a vital step forward in this regard. The Fund, established in order to attract, manage and disburse additional resources through public and private partnership, will make a sustainable and significant contribution to the reduction of infections, illness and death, thereby mitigating the impact caused by HIV/AIDS, tuberculosis and malaria in countries of need. It awarded its first round of grants in April 2002 and will consider a second round of proposals in July 2002.

30. To raise awareness and assess the implications of these developments in human rights terms, my Office, together with UNAIDS and WHO, organized a meeting parallel to the fifty-eighth session of the Commission on Human Rights. The meeting was attended by a large number of representatives from Governments, United Nations agencies and NGOs, as well as by participants from the private sector. Speakers assessed the human rights implications of recent developments within the context of the international legal framework for the right to health, through a consideration of national experiences; the role of civil society; and global institutional experiences. The meeting underscored the responsibility of the international community to ensure equitable access to medication for people living with HIV/AIDS in developing countries, the central importance of the human rights community in improving care, treatment and support for those living with HIV/AIDS, and the need for a massive increase in financial assistance to the countries most affected.

31. The Office of the United Nations High Commissioner for Human Rights will continue to encourage the international community to build on recent commitments and to ensure that human rights are central to the decision-making of Governments, international organizations, companies and civil society in the response to HIV/AIDS at all levels.

IV. The rights of persons with disabilities

32. Last year, I devoted parts of my report to the Economic and Social Council to the rights of persons with disabilities. It has been estimated that over 600 million persons, constituting approximately 10 per cent of world's population, suffer from one or another form of disabilities. Over two thirds of those live in developing countries. Discrimination against persons with disability has been neglected for too long. Persons with functional limitations or disabilities are often particularly vulnerable to exclusion and marginalization.

33. There is a growing recognition in all parts of the world that we cannot tackle the various dimensions of disability through charity work. Persons living with disabilities are rights holders. A main focus of the human rights perspective on disability is to ensure that persons with disabilities equally and effectively enjoy all human rights, without discrimination. The principle of non-discrimination is central to this right-based approach. Non-discrimination is a core and fundamental human rights norm embodied in the Universal Declaration of Human Rights[2] and the six major human rights treaties.

34. In 1993, the human rights perspective on the question of disability was endorsed by the General Assembly when it adopted the Standard Rules on the Equalization of Opportunities for Persons with Disabilities.[5] The Standard Rules directly address the responsibility of States and include an independent and active monitoring mechanism in the form of a special rapporteur who reports to the Commission for Social Development. The Special Rapporteur was appointed in 1994. The Standard Rules and the Special Rapporteur continue to raise awareness about the human rights of persons with disabilities and to

stimulate positive changes in various parts of the world.

35. Nevertheless, a core problem in the field of disability is the relative invisibility of persons with disabilities both in society and under the existing international human rights instruments. In the Millennium human rights goals, States pledged to strive for the full protection and promotion of all human rights for all. Amongst the developed strategies to move forward on this goal is to ensure the integration of human rights in all development activities focused on the economic, social and cultural well-being of each member of society. The Millennium development goals relating to education, the empowerment of women, child mortality and developing partnerships for development are particularly relevant to the question of disability.

36. A human rights approach to disability requires that persons with disabilities do not remain invisible when measuring the implementation of the Millennium goals. For instance, one target in the Millennium development goals is to ensure that, by 2015, children everywhere will be able to complete a full course of primary schooling. At present, only 2 per cent of disabled children in the developing world receive any education or rehabilitation. There is abundant evidence to demonstrate that even those with severe disabilities can acquire and improve a wide range of skills and attain a high level of proficiency.

37. Some groups of persons with disabilities are more invisible than others and are therefore even more marginalized within their societies. This category includes persons with mental disabilities. The integrity of persons with mental disabilities is often violated. Those with intellectual disabilities are frequently underestimated or ignored. Persons with psychiatric disabilities are sometimes subjected to coercive medical treatments and medical or scientific experimentation without their consent. They are often subjected to unwarranted privation in psychiatric institutions, as well as to many other forms of maltreatment, including inappropriate pharmaceutical treatments, sterilization, psychosurgery and other forms of irreversible medical "therapy".

38. More serious attention should be given to multiple or aggravated forms of discrimination. Special attention should be given to combined grounds for discriminating against persons with disabilities, such as women, children or persons belonging to ethnic or racial minorities, who often suffer from multiple forms of discrimination. Discriminatory or unequal treatment affecting people with disabilities based on other factors such as sex, language, religion, political or other opinion, social origin, property, birth or other status, is subject to the non-discrimination provisions of human rights law. Both the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights also refer to the prohibition of discrimination on the basis "of any kind" of distinction. This includes discrimination relating to disability. There is a need for strategies, policies and programmes aimed at ensuring equal opportunities, which may include positive measures for removing systemic barriers and other forms of discrimination and intolerance for such persons. Recent research has demonstrated that 39 States have adopted non-discrimination or equal opportunity legislation in the context of disability.

39. In December 2001, the General Assembly adopted resolution 56/168 on a "Comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities", in which it acknowledged the important role played by the Standard Rules in influencing positive developments at the national and international levels. It recognized, however, that notwithstanding the efforts made to increase awareness and sensitivity on the issue of disability, these efforts have not been sufficient to ensure full and effective participation of disabled persons in economic, social and cultural life. As a result, the General Assembly decided to establish an Ad Hoc Committee to consider proposals for a comprehensive and integral international convention to protect and promote the rights and dignity of persons with disabilities, taking into account the recommendations of the Commission on Human Rights and the Commission for Social Development.

The Office of the United Nations High Commissioner for Human Rights study on disability

40. In resolution 2000/51, the Commission on Human Rights invited the United Nations High Commissioner for Human Rights, in cooperation with the Special Rapporteur on Disability of the Commission for Social Development, to examine measures to strengthen the

protection and monitoring of the human rights of persons with disabilities. As a result, the Office of the High Commissioner has been involved in the preparation of a study to evaluate existing standards and mechanisms in the field of human rights and disability. The "Study of the Current Use and Future Potential of the United Nations Human Rights Instruments in the Context of Disability" is the first outcome of a wider project aimed at providing a conceptual framework for the human rights dimension of disability.

41. The study has three main objectives: to clarify the relevance of the six United Nations human rights treaties to disability; to review how the human rights treaty system actually works in practice with respect to disability; and to provide options for the future. The main thesis of the study is that the process of disability reform, which is taking place worldwide, could be immeasurably strengthened and accelerated if greater and more targeted use were made of the human rights treaties.

42. In order to clarify the relevance of the six human rights treaties to disability, the study identifies the various obligations of States parties under the treaties and explains how the relevant enforcement mechanisms work in the context of disability. In this regard, the study constitutes a useful reference work for all stakeholders, including States parties, the treaty monitoring bodies themselves, the Office of the United Nations High Commissioner for Human Rights, national human rights institutions and civil society.

43. By looking at how States parties report to the treaty monitoring bodies on human rights and disability, and at how the treaty monitoring bodies respond, the study reviewed how the human rights treaty system actually works in practice with respect to disability. In this context, the study examined a total of 147 recent periodic State party reports, which were selected to ensure a reasonable geographic spread on the basis of the availability of documentation. The object of this analysis was to see how States parties saw themselves as discharging their obligations in the specific context of disability. The study also examined the way in which the treaty monitoring bodies deal with the issue of human rights of disabled persons and analysed the actual and potential use of the six human rights treaties by the various committees in the field of disability.

44. The study provided observations, comments and recommendations concerning ways in which the various stakeholders might enhance their use of the six human rights instruments in the context of disability. It aimed at strengthening the system, while arguing for the adoption of a thematic convention on the rights of persons with disabilities. As a general observation, the study found that while the treaty monitoring bodies do an excellent job overall on the issue of disability, given the limited resources and the wide range of issues and groups, the system remains generally underused in advancing the rights of persons with disabilities.

45. The study encouraged the treaty monitoring bodies to clarify the relevance of the various human rights standards in the context of disability and to consider the adoption of disability-specific general comments or recommendations. The list of issues to be addressed by States parties in their periodic reports should include disability and reference to the latter should also be included in the concluding observations/comments and recommendations of the treaty bodies. The study further encouraged the six human rights treaty bodies to consult more closely with NGOs working in the field in the drafting of their periodic reports and to nominate persons with disabilities for election to the treaty monitoring bodies.

46. The study acknowledged that independent national human rights institutions are strategic partners in promoting and protecting the rights of persons with disabilities. Independent national institutions play a catalytic role between Governments and relevant intergovernmental, and non-governmental bodies and organizations in the area of policy reform. It is, therefore, becoming increasingly important for the Office of the United Nations High Commissioner for Human Rights to strengthen its cooperation with and its support to such institutions in the field of disability.

47. The preliminary findings of the study were presented at a meeting on 14 January 2002 with the participation of the Special Rapporteur on Disability. Over 30 States were represented, as well as a number of NGOs working in the field of disability, as well as United Nations bodies and agencies, including the International Labour Organization (ILO), WHO, the United Nations Children's Fund (UNICEF), UNAIDS and the United Nations Development Programme (UNDP) and the Department for Economic and Social Affairs of the Secretariat. A follow-up to that meeting

took place on 15 April 2002, during the fifty-eighth session of the Commission on Human Rights.

48. On 16 April 2002, in parallel to the fifty-eighth session of the Commission on Human Rights, the Office of the United Nations High Commissioner for Human Rights organized a meeting entitled "National human rights institutions and disability rights: protection at the national level". The event represented a follow-up to the consultation organized during the fifty-seventh session of the Commission on Human Rights, during which national human rights institutions expressed their wish to work closely with human rights mechanisms.[6] The meeting, which was attended by national institutions from every region, focused on effective strategies and policies at the national level to promote the rights and the full and effective participation of persons with disabilities in economic, social, cultural and political life, on the basis of equality.

V. Rights of indigenous people: Permanent Forum on Indigenous Issues

49. The commitments made in the Millennium Declaration are of particular relevance to indigenous peoples. Many of the world's more than 300 million indigenous people experience exclusion and marginalization in many of the countries in which they live. They are often poorly served by education, health, housing and other services. WHO has noted significant inequities in the health status of indigenous peoples, that indigenous peoples' life expectancy at birth may be 10 to 20 years less than for the overall population and that infant mortality rates can be up to three times greater than national averages. Focusing on indigenous peoples as part of the implementation of goal 4 of the Millennium development goals on reducing child mortality would specifically address this acute problem.

50. In my report to the Economic and Social Council in 2001,[6] I provided information about the recently established Permanent Forum on Indigenous Issues. The present report provides further information on the preparations that were undertaken for the first session of the Permanent Forum and, in particular, on the institutional mechanisms that have been created to support its work. The Permanent Forum met for the first time from 13 to 24 Ma, 2002, and will present its first report to the present substantive session, in accordance with Council resolution 2000/22.

51. It will be recalled that the Secretary-General designated the Office of the United Nations High Commissioner for Human Rights as the lead agency for the preparations for the Permanent Forum. In this respect, the Office of the High Commissioner took responsibility for the administrative arrangements in connection with the preparations, including those connected with the election and appointment of expert members, the consultations with interested partners such as Governments, indigenous peoples and United Nations organizations and the organization of the first session of the Permanent Forum in New York.

52. It was considered important to develop an inter-agency approach among the organizations of the United Nations system in relation to the Permanent Forum. Informal consultations among the focal points of each United Nations organization and among the heads of agencies led to the recommendation and establishment of an Inter-agency Support Group for the Permanent Forum on Indigenous Issues. The Inter-agency Support Group met for two days in January 2002 and considered ways of supporting the Permanent Forum. The group subsequently reported on its deliberations and outcomes to Governments and indigenous peoples.

53. At its first meeting, the Inter-agency Support Group discussed practical ways in which it could contribute to the first session of the Permanent Forum, in particular through the provision of documentation, the participation of technical expertise and the secondment of staff for the servicing of the session. It was decided that the group would meet at least two times a year with a view to ensuring that the Permanent Forum receives concerted and coordinated assistance from the United Nations system. The Inter-agency Support Group is composed of various United Nations departments and organizations, including the Department of Public Information, the Office of the United Nations High Commissioner for Human Rights, the Food and Agriculture Organization of the United Nations (FAO), the United Nations Institute for Training and Research (UNITAR), the United Nations Population Fund (UNFPA), UNICEF, UNDP, ILO, the United Nations Educational, Scientific and Cultural Organization (UNESCO), the World Intellectual Property Organization (WIPO), the United Nations Centre for Human Settlements (Habitat), WHO, WTO,

the United Nations Environment Programme (UNEP), the Convention on Biological Diversity secretariat and the World Bank.

54. An issue that has emerged forcefully during the 18 months since the decision to establish the Permanent Forum and its first session is the absence of financial and human resources to assist with the preparatory work. To date, no regular budget resources have been set aside for the secretariat needs of the Forum. The only expenses so far covered by the regular budget are costs associated with the travel and daily allowances of the Forum members and the conference services for the sessions of the Forum themselves. In my capacity as High Commissioner, and on behalf of the heads of United Nations organizations, I made an appeal to Governments for extrabudgetary resources as an interim measure, until such time as the regular budget is increased to accommodate the activities of the Forum. Regrettably, only one Government made a financial contribution following my appeal. This has meant that the Office of the United Nations High Commissioner has had to draw upon its own unearmarked human rights funds to meet the costs of the Forum.

55. The Economic and Social Council will need to take a decision in regard to the secretariat needs of the new body and to recommend that resources be set aside in the regular budget for that purpose. The Permanent Forum will make its own proposals for activities to be undertaken over the ensuing 12 months, and these will determine, to a large extent, the secretariat needs and, in particular, any additional resources that might be necessary. Some United Nations organizations may be in a position to contribute resources, as was the case, to some degree, in the servicing of the first session of the Permanent Forum. However, if United Nations organizations and the specialized agencies are also to make resources available for new undertakings that may be approved, as suggested in paragraph 6 of Economic and Social Council resolution 2000/22, these resources will need to be authorized by the governing bodies of the respective agencies. The burden for ensuring system-wide support for indigenous issues falls upon Member States.

56. These practical matters notwithstanding, the Permanent Forum offers an exceptional opportunity for addressing the very real disadvantages faced by indigenous peoples. It brings together indigenous representatives, Governments and the technical expertise of the United Nations system. It is a formidable concentration of worldwide experience. It represents a mechanism for the exchange of best practices, a network for partnership projects between the United Nations and the indigenous community and the starting point for coordinated programmes of the United Nations system.

57. It is noted that the Economic and Social Council will review all existing mechanisms, procedures and programmes within the United Nations concerning indigenous issues, including the Working Group on Indigenous Populations of the Subcommission on the Promotion and Protection of Human Rights, with a view to rationalizing activities, avoiding duplication and overlap and promoting effectiveness. It may be observed, however, that the Permanent Forum is not a starting point, but part of a continuum of activities that have been growing within the United Nations over two decades. It is one of the building blocks of a coherent and comprehensive response by the Organization. Its mandate is focused on inter-agency cooperation and coordination. Since the Forum is hardly a substitute for the work done in the human rights area, it would be a pity if the establishment of one body should lead to the demise of another.

58. It cannot yet be said that indigenous peoples are equitably treated by the United Nations. As noted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held at Durban, South Africa, indigenous peoples are often the victims of direct discrimination and racism. But even more frequently, they are victims of diffuse structural discrimination as a result of the way that public and private institutions operate and distribute collective goods and services. It should be noted that this kind of discrimination is not always recognized as such and that special measures must be adopted to combat racism and discrimination against indigenous people through the use of the media and public education. The United Nations needs to guard against any such structural discrimination in its work and to ensure that indigenous peoples' issues become a central part of our work.

VI. Trafficking in human persons

59. Through the Millennium human rights goals, States vowed to take measures to ensure respect for the protection of the human rights of migrants, migrant

workers and their families. The strategies for moving forward on this goal, as elaborated in the Secretary-General's road map report, include continuing the United Nations work to provide technical advice and training to lead the dialogue on specific policies dealing with migration issues and their implications.

60. Trafficking in human persons is a particularly abusive form of migration. The problem of trafficking and the web of human rights violations it embraces present some of the most complex and pressing issues on the international human rights agenda. Complexities include: the different political contexts and the geographical dimensions of the problem; ideological and conceptual differences of approach; the mobility and adaptability of traffickers; the different situations and needs of trafficked persons; the inadequate legal framework; and insufficient research and coordination on the part of actors involved at the national, regional and international levels. Despite increasing attention, and no doubt because of different perceptions relating to the nature of the problem and preferred solutions, attempts to deal with trafficking have been ad hoc, sporadic and largely ineffective. Overall, efforts have revealed a marked tendency to marginalize the human rights and gender dimensions of trafficking. As a result, the rights of trafficked persons and the human rights violations, which are both a cause and consequence of trafficking, have often been neglected.

61. Since 1998, the Office of the United Nations High Commissioner for Human Rights has given priority to the issue of trafficking in persons, especially women and children. The overall goal of the Office's work in this sector is the integration of human rights into international, regional and national anti-trafficking initiatives through legal and policy development. The Office's trafficking programme has achieved substantial and verifiable results since its commencement in 1999. Detailed information on the progress of the programme and its future direction is contained in the recent report of the Secretary-General to the fifty-eighth session of the Commission on Human Rights (E/CN.4/2002/80).

62. One of the most significant outputs of the Office's trafficking programme is the *Recommended Principles and Guidelines on Human Rights and Human Trafficking* (E/2002/68/Add.1), the development of which began in 2000 in response to the clear need for practical, rights-based policy guidance on the trafficking issue. The *Recommended Principles and Guidelines*, the result of a wide-ranging informal consultation involving individual experts and key intergovernmental organizations, agencies and programmes, are intended to promote and facilitate the integration of a human rights perspective into national, regional and international anti-trafficking laws, policies and interventions and to serve as a framework and reference point for the work of the Office of the High Commissioner on this issue. I encourage States and intergovernmental organizations to make use of the *Recommended Principles and Guidelines* in their own efforts to prevent trafficking and to protect the rights of trafficked persons.

VII. Final remarks

63. The realization of the Millennium goals will have an enormous impact on humanity. The Millennium goals are built on the fundamental values essential to international relations in the twenty-first century, including freedom, equality, solidarity, tolerance, respect for nature and shared responsibility. In order to translate those shared values into actions, the Millennium goals were identified. Faithful implementation of the Millennium human rights and Millennium development goals will directly benefit those who experience discrimination, exclusion and marginalization, in particular: the 40 million people now living with HIV/AIDS; the 600 million persons with disabilities; the 300 million indigenous people; and the unknown but rapidly increasing number of individuals falling victim to the exploding trade in human beings.

64. The universal human rights framework provides a platform for empowerment and participation of the individual. It provides standards that can ensure non-discrimination in achieving the development goals and offers a basis for the accountability of States. In addition, human rights principles not only serve as tools in meeting these development goals, but also as indicators of progress towards their achievement. Human rights expertise can also make a contribution to capacity-building at the national level to strengthen the rule of law and to support democratic institutions.

65. We all share the responsibility of achieving the Millennium goals. States working in partnership with the United Nations, the private sector and civil society can translate the goals into reality. My Office is committed to working with all partners. It is, however, up to Governments, working individually and in

cooperation with each other, to ensure that the commitments that they made in the Millennium Declaration are fully realized.

Notes

[1] Of the 189 Member States that adopted the Millennium Declaration, 147 were represented directly by their head of State or Government.

[2] General Assembly resolution 217 A (111).

[3] General Assembly resolution 34/180, annex.

[4] A/CONF.157/24 (Part I), chap. III.

[5] General Assembly resolution 48/96, annex.

[6] E/2001/64, para. 65.

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Recommended Principles and Guidelines on Human Rights and Human Trafficking

Report of the United Nations High Commissioner for Human Rights to the Economic and Social Council**

Addendum

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Recommended Principles on Human Rights and Human Trafficking[1]

The primacy of human rights

1. The human rights of trafficked persons shall be at the centre of all efforts to prevent and combat trafficking and to protect, assist and provide redress to victims.

2. States have a responsibility under international law to act with due diligence to prevent trafficking, to investigate and prosecute traffickers and to assist and protect trafficked persons.

3. Anti-trafficking measures shall not adversely affect the human rights and dignity of persons, in particular the rights of those who have been trafficked, and of migrants, internally displaced persons, refugees and asylum-seekers.

Preventing trafficking

4. Strategies aimed at preventing trafficking shall address demand as a root cause of trafficking.

5. States and intergovernmental organizations shall ensure that their interventions address the factors that increase vulnerability to trafficking, including inequality, poverty and all forms of discrimination.

6. States shall exercise due diligence in identifying and eradicating public-sector involvement or complicity in trafficking. All public officials suspected of being implicated in trafficking shall be investigated, tried and, if convicted, appropriately punished.

Protection and assistance

7. Trafficked persons shall not be detained, charged or prosecuted for the illegality of their entry into or residence in countries of transit and destination, or for their involvement in unlawful activities to the extent that such involvement is a direct consequence of their situation as trafficked persons.

8. States shall ensure that trafficked persons are protected from further exploitation and harm and have access to adequate physical and psychological care. Such protection and care shall not be made conditional upon the capacity or willingness of the trafficked person to cooperate in legal proceedings.

9. Legal and other assistance shall be provided to trafficked persons for the duration of any criminal, civil or other actions against suspected traffickers. States

[1] The term "trafficking", as used in the present Principles and Guidelines, refers to the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs. Source: Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (article 3 (a)).

shall provide protection and temporary residence permits to victims and witnesses during legal proceedings.

10. Children who are victims of trafficking shall be identified as such. Their best interests shall be considered paramount at all times. Child victims of trafficking shall be provided with appropriate assistance and protection. Full account shall be taken of their special vulnerabilities, rights and needs.

11. Safe (and, to the extent possible, voluntary) return shall be guaranteed to trafficked persons by both the receiving State and the State of origin. Trafficked persons shall be offered legal alternatives to repatriation in cases where it is reasonable to conclude that such repatriation would pose a serious risk to their safety and/or to the safety of their families.

Criminalization, punishment and redress

12. States shall adopt appropriate legislative and other measures necessary to establish, as criminal offences, trafficking, its component acts[2] and related conduct.[3]

13. States shall effectively investigate, prosecute and adjudicate trafficking, including its component acts and related conduct, whether committed by governmental or by non-State actors.

14. States shall ensure that trafficking, its component acts and related offences constitute extraditable offences under national law and extradition treaties. States shall cooperate to ensure that the appropriate extradition procedures are followed in accordance with international law.

15. Effective and proportionate sanctions shall be applied to individuals and legal persons found guilty of trafficking or of its component or related offences.

16. States shall, in appropriate cases, freeze and confiscate the assets of individuals and legal persons involved in trafficking. To the extent possible, confiscated assets shall be used to support and compensate victims of trafficking.

17. States shall ensure that trafficked persons are given access to effective and appropriate legal remedies.

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[2] For the purposes of the present Principles and Guidelines, the "component acts" and "component offences" of trafficking are understood to include the recruitment, transportation, transfer, harbouring or receipt of persons over eighteen years of age by means of threat, force, coercion or deception for the purpose of exploitation. The recruitment, transportation, transfer, harbouring or receipt of a person under eighteen years of age constitute component acts and component offences of trafficking in children. Source: Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, articles 3 (a) and 3 (c).

[3] For the purposes of the present Principles and Guidelines, conduct and offences "related to" trafficking are understood to include: exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery and servitude. Source: Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, article 3 (a).

Recommended Guidelines on Human Rights and Human Trafficking

Guideline 1: Promotion and protection of human rights

Violations of human rights are both a cause and a consequence of trafficking in persons. Accordingly, it is essential to place the protection of all human rights at the centre of any measures taken to prevent and end trafficking. Anti-trafficking measures should not adversely affect the human rights and dignity of persons and, in particular, the rights of those who have been trafficked, migrants, internally displaced persons, refugees and asylum-seekers.

States and, where applicable, intergovernmental and non-governmental organizations, should consider:

1. Taking steps to ensure that measures adopted for the purpose of preventing and combating trafficking in persons do not have an adverse impact on the rights and dignity of persons, including those who have been trafficked.

2. Consulting with judicial and legislative bodies, national human rights institutions and relevant sectors of civil society in the development, adoption, implementation and review of anti-trafficking legislation, policies and programmes.

3. Developing national plans of action to end trafficking. This process should be used to build links and partnerships between governmental institutions involved in combating trafficking and/or assisting trafficked persons and relevant sectors of civil society.

4. Taking particular care to ensure that the issue of gender-based discrimination is addressed systematically when anti-trafficking measures are proposed with a view to ensuring that such measures are not applied in a discriminatory manner.

5. Protecting the right of all persons to freedom of movement and ensuring that anti-trafficking measures do not infringe upon this right.

6. Ensuring that anti-trafficking laws, policies, programmes and interventions do not affect the right of all persons, including trafficked persons, to seek and enjoy asylum from persecution in accordance with international refugee law, in particular through the effective application of the principle of non-refoulement.

7. Establishing mechanisms to monitor the human rights impact of anti-trafficking laws, policies, programmes and interventions. Consideration should be given to assigning this role to independent national human rights institutions where such bodies exist. Non-governmental organizations working with trafficked persons should be encouraged to participate in monitoring and evaluating the human rights impact of anti-trafficking measures.

8. Presenting detailed information concerning the measures that they have taken to prevent and combat trafficking in their periodic reports to the United Nations human rights treaty-monitoring bodies.[4]

[4] The human rights treaty-monitoring bodies include the Human Rights Committee; the Committee on Economic, Social and Cultural Rights; the Committee on the Elimination of Discrimination against Women; the Committee on the Elimination of Racial Discrimination; the Committee against Torture; and the Committee on the Rights of the Child.

9. Ensuring that bilateral, regional and international cooperation agreements and other laws and policies concerning trafficking in persons do not affect the rights, obligations or responsibilities of States under international law, including human rights law, humanitarian law and refugee law.

10. Offering technical and financial assistance to States and relevant sectors of civil society for the purpose of developing and implementing human rights-based anti-trafficking strategies.

Guideline 2: Identification of trafficked persons and traffickers

Trafficking means much more than the organized movement of persons for profit. The critical additional factor that distinguishes trafficking from migrant smuggling is the presence of force, coercion and/or deception throughout or at some stage in the process — such deception, force or coercion being used for the purpose of exploitation. While the additional elements that distinguish trafficking from migrant smuggling may sometimes be obvious, in many cases they are difficult to prove without active investigation. A failure to identify a trafficked person correctly is likely to result in a further denial of that person's rights. States are therefore under an obligation to ensure that such identification can and does take place.

States are also obliged to exercise due diligence in identifying traffickers,[5] including those who are involved in controlling and exploiting trafficked persons.

States and, where applicable, intergovernmental and non-governmental organizations, should consider:

1. Developing guidelines and procedures for relevant State authorities and officials such as police, border guards, immigration officials and others involved in the detection, detention, reception and processing of irregular migrants, to permit the rapid and accurate identification of trafficked persons.

2. Providing appropriate training to relevant State authorities and officials in the identification of trafficked persons and correct application of the guidelines and procedures referred to above.

3. Ensuring cooperation between relevant authorities, officials and non-governmental organizations to facilitate the identification and provision of assistance to trafficked persons. The organization and implementation of such cooperation should be formalized in order to maximize its effectiveness.

4. Identifying appropriate points of intervention to ensure that migrants and potential migrants are warned about possible dangers and consequences of trafficking and receive information that enables them to seek assistance if required.

[5] The term "traffickers", where it appears in the present Principles and Guidelines, is used to refer to: recruiters; transporters; those who exercise control over trafficked persons; those who transfer and/or maintain trafficked persons in exploitative situations; those involved in related crimes; and those who profit either directly or indirectly from trafficking, its component acts and related offences.

5. Ensuring that trafficked persons are not prosecuted for violations of immigration laws or for the activities they are involved in as a direct consequence of their situation as trafficked persons.

6. Ensuring that trafficked persons are not, in any circumstances, held in immigration detention or other forms of custody.

7. Ensuring that procedures and processes are in place for receipt and consideration of asylum claims from both trafficked persons and smuggled asylum seekers and that the principle of non-refoulement is respected and upheld at all times.

Guideline 3: Research, analysis, evaluation and dissemination

Effective and realistic anti-trafficking strategies must be based on accurate and current information, experience and analysis. It is essential that all parties involved in developing and implementing these strategies have and maintain a clear understanding of the issues.

The media has an important role to play in increasing public understanding of the trafficking phenomenon by providing accurate information in accordance with professional ethical standards.

States and, where appropriate, intergovernmental and non-governmental organizations, should consider:

1. Adopting and consistently using the internationally agreed definition of trafficking contained in the Palermo Protocol.[6]

2. Standardizing the collection of statistical information on trafficking and related movements (such as migrant smuggling) that may include a trafficking element.

3. Ensuring that data concerning individuals who are trafficked is disaggregated on the basis of age, gender, ethnicity and other relevant characteristics.

4. Undertaking, supporting and bringing together research into trafficking. Such research should be firmly grounded in ethical principles, including an understanding of the need not to re-traumatize trafficked persons. Research methodologies and interpretative techniques should be of the highest quality.

5. Monitoring and evaluating the relationship between the intention of anti-trafficking laws, policies and interventions, and their real impact. In particular,

[6] The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol), supplementing the United Nations Convention against Transnational Organized Crime, defines trafficking in persons as: "... the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs (article 3 (a)). The Protocol further states that the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth above (article 3 (c)).

ensuring that distinctions are made between measures which actually reduce trafficking and measures which may have the effect of transferring the problem from one place or group to another.

6. Recognizing the important contribution that survivors of trafficking can, on a strictly voluntary basis, make to developing and implementing anti-trafficking interventions and evaluating their impact.

7. Recognizing the central role that non-governmental organizations can play in improving the law enforcement response to trafficking by providing relevant authorities with information on trafficking incidents and patterns taking into account the need to preserve the privacy of trafficked persons.

Guideline 4: Ensuring an adequate legal framework

The lack of specific and/or adequate legislation on trafficking at the national level has been identified as one of the major obstacles in the fight against trafficking. There is an urgent need to harmonize legal definitions, procedures and cooperation at the national and regional levels in accordance with international standards. The development of an appropriate legal framework that is consistent with relevant international instruments and standards will also play an important role in the prevention of trafficking and related exploitation.

States should consider:

1. Amending or adopting national legislation in accordance with international standards so that the crime of trafficking is precisely defined in national law and detailed guidance is provided as to its various punishable elements. All practices covered by the definition of trafficking such as debt bondage, forced labour and enforced prostitution should also be criminalized.

2. Enacting legislation to provide for the administrative, civil and, where appropriate, criminal liability of legal persons for trafficking offences in addition to the liability of natural persons. Reviewing current laws, administrative controls and conditions relating to the licensing and operation of businesses that may serve as cover for trafficking such as marriage bureaux, employment agencies, travel agencies, hotels and escort services.

3. Making legislative provision for effective and proportional criminal penalties (including custodial penalties giving rise to extradition in the case of individuals). Where appropriate, legislation should provide for additional penalties to be applied to persons found guilty of trafficking in aggravating circumstances, including offences involving trafficking in children or offences committed or involving complicity by State officials.

4. Making legislative provision for confiscation of the instruments and proceeds of trafficking and related offences. Where possible, the legislation should specify that the confiscated proceeds of trafficking will be used for the benefit of victims of trafficking. Consideration should be given to the establishment of a compensation fund for victims of trafficking and the use of confiscated assets to finance such a fund.

5. Ensuring that legislation prevents trafficked persons from being prosecuted, detained or punished for the illegality of their entry or residence or for the activities they are involved in as a direct consequence of their situation as trafficked persons.

6. Ensuring that the protection of trafficked persons is built into anti-trafficking legislation, including protection from summary deportation or return where there are reasonable grounds to conclude that such deportation or return would represent a significant security risk to the trafficked person and/or her/his family.

7. Providing legislative protection for trafficked persons who voluntarily agree to cooperate with law enforcement authorities, including protection of their right to remain lawfully within the country of destination for the duration of any legal proceedings.

8. Making effective provision for trafficked persons to be given legal information and assistance in a language they understand as well as appropriate social support sufficient to meet their immediate needs. States should ensure that entitlement to such information, assistance and immediate support is not discretionary but is available as a right for all persons who have been identified as trafficked.

9. Ensuring that the right of trafficking victims to pursue civil claims against alleged traffickers is enshrined in law.

10. Guaranteeing that protections for witnesses are provided for in law.

11. Making legislative provision for the punishment of public sector involvement or complicity in trafficking and related exploitation.

Guideline 5: Ensuring an adequate law enforcement response

Although there is evidence to suggest that trafficking in persons is increasing in all regions of the world, few traffickers have been apprehended. More effective law enforcement will create a disincentive for traffickers and will therefore have a direct impact upon demand.

An adequate law enforcement response to trafficking is dependent on the cooperation of trafficked persons and other witnesses. In many cases, individuals are reluctant or unable to report traffickers or to serve as witnesses because they lack confidence in the police and the judicial system and/or because of the absence of any effective protection mechanisms. These problems are compounded when law enforcement officials are involved or complicit in trafficking. Strong measures need to be taken to ensure that such involvement is investigated, prosecuted and punished. Law enforcement officials must also be sensitized to the paramount requirement of ensuring the safety of trafficked persons. This responsibility lies with the investigator and cannot be abrogated.

States and, where applicable, intergovernmental and non-governmental organizations should consider:

1. Sensitizing law enforcement authorities and officials to their primary responsibility to ensure the safety and immediate well-being of trafficked persons.

2. Ensuring that law enforcement personnel are provided with adequate training in the investigation and prosecution of cases of trafficking. This training should be sensitive to the needs of trafficked persons, particularly those of women and

children, and should acknowledge the practical value of providing incentives for trafficked persons and others to come forward to report traffickers. The involvement of relevant non-governmental organizations in such training should be considered as a means of increasing its relevance and effectiveness.

3. Providing law enforcement authorities with adequate investigative powers and techniques to enable effective investigation and prosecution of suspected traffickers. States should encourage and support the development of proactive investigatory procedures that avoid over-reliance on victim testimony.

4. Establishing specialist anti-trafficking units (comprising both women and men) in order to promote competence and professionalism.

5. Guaranteeing that traffickers are and will remain the focus of anti-trafficking strategies and that law enforcement efforts do not place trafficked persons at risk of being punished for offences committed as a consequence of their situation.

6. Implementing measures to ensure that "rescue" operations do not further harm the rights and dignity of trafficked persons. Such operations should only take place once appropriate and adequate procedures for responding to the needs of trafficked persons released in this way have been put in place.

7. Sensitizing police, prosecutors, border, immigration and judicial authorities, and social and public health workers to the problem of trafficking and ensuring the provision of specialized training in identifying trafficking cases, combating trafficking and protecting the rights of victims.

8. Making appropriate efforts to protect individual trafficked persons during the investigation and trial process and any subsequent period when the safety of the trafficked person so requires. Appropriate protection programmes may include some or all of the following elements: identification of a safe place in the country of destination; access to independent legal counsel; protection of identity during legal proceedings; identification of options for continued stay, resettlement or repatriation.

9. Encouraging law enforcement authorities to work in partnership with non-governmental agencies in order to ensure that trafficked persons receive necessary support and assistance.

Guideline 6: Protection and support for trafficked persons

The trafficking cycle cannot be broken without attention to the rights and needs of those who have been trafficked. Appropriate protection and support should be extended to all trafficked persons without discrimination.

States and, where applicable, intergovernmental and non-governmental organizations, should consider:

1. Ensuring, in cooperation with non-governmental organizations, that safe and adequate shelter that meets the needs of trafficked persons is made available. The provision of such shelter should not be made contingent on the willingness of the victims to give evidence in criminal proceedings. Trafficked persons should not be held in immigration detention centres, other detention facilities or vagrant houses.

2. Ensuring, in partnership with non-governmental organizations, that trafficked persons are given access to primary health care and counselling. Trafficked persons should not be required to accept any such support and assistance and they should not be subject to mandatory testing for diseases, including HIV/AIDS.

3. Ensuring that trafficked persons are informed of their right of access to diplomatic and consular representatives from their State of nationality. Staff working in embassies and consulates should be provided with appropriate training in responding to requests for information and assistance from trafficked persons. These provisions would not apply to trafficked asylum-seekers.

4. Ensuring that legal proceedings in which trafficked persons are involved are not prejudicial to their rights, dignity or physical or psychological well-being.

5. Providing trafficked persons with legal and other assistance in relation to any criminal, civil or other actions against traffickers/exploiters. Victims should be provided with information in a language that they understand.

6. Ensuring that trafficked persons are effectively protected from harm, threats or intimidation by traffickers and associated persons. To this end, there should be no public disclosure of the identity of trafficking victims and their privacy should be respected and protected to the extent possible, while taking into account the right of any accused person to a fair trial. Trafficked persons should be given full warning, in advance, of the difficulties inherent in protecting identities and should not be given false or unrealistic expectations regarding the capacities of law enforcement agencies in this regard.

7. Ensuring the safe and, where possible, voluntary return of trafficked persons and exploring the option of residency in the country of destination or third-country resettlement in specific circumstances (e.g. to prevent reprisals or in cases where re-trafficking is considered likely).

8. In partnership with non-governmental organizations, ensuring that trafficked persons who do return to their country of origin are provided with the assistance and support necessary to ensure their well-being, facilitate their social integration and prevent re-trafficking. Measures should be taken to ensure the provision of appropriate physical and psychological health care, housing and educational and employment services for returned trafficking victims.

Guideline 7: Preventing trafficking

Strategies aimed at preventing trafficking should take into account demand as a root cause. States and intergovernmental organizations should also take into account the factors that increase vulnerability to trafficking, including inequality, poverty and all forms of discrimination and prejudice. Effective prevention strategies should be based on existing experience and accurate information.

States, in partnership with intergovernmental and non-governmental organizations and where appropriate, using development cooperation policies and programmes, should consider:

1. Analysing the factors that generate demand for exploitative commercial sexual services and exploitative labour and taking strong legislative, policy and other measures to address these issues.

2. Developing programmes that offer livelihood options, including basic education, skills training and literacy, especially for women and other traditionally disadvantaged groups.

3. Improving children's access to educational opportunities and increasing the level of school attendance, in particular by girl children.

4. Ensuring that potential migrants, especially women, are properly informed about the risks of migration (e.g. exploitation, debt bondage and health and security issues, including exposure to HIV/AIDS) as well as avenues available for legal, non-exploitative migration.

5. Developing information campaigns for the general public aimed at promoting awareness of the dangers associated with trafficking. Such campaigns should be informed by an understanding of the complexities surrounding trafficking and of the reasons why individuals may make potentially dangerous migration decisions.

6. Reviewing and modifying policies that may compel people to resort to irregular and vulnerable labour migration. This process should include examining the effect on women of repressive and/or discriminatory nationality, property, immigration, emigration and migrant labour laws.

7. Examining ways of increasing opportunities for legal, gainful and non-exploitative labour migration. The promotion of labour migration by the State should be dependent on the existence of regulatory and supervisory mechanisms to protect the rights of migrant workers.

8. Strengthening the capacity of law enforcement agencies to arrest and prosecute those involved in trafficking as a preventive measure. This includes ensuring that law enforcement agencies comply with their legal obligations.

9. Adopting measures to reduce vulnerability by ensuring that appropriate legal documentation for birth, citizenship and marriage is provided and made available to all persons.

Guideline 8: Special measures for the protection and support of child victims of trafficking

The particular physical, psychological and psychosocial harm suffered by trafficked children and their increased vulnerability to exploitation require that they be dealt with separately from adult trafficked persons in terms of laws, policies, programmes and interventions. The best interests of the child must be a primary consideration in all actions concerning trafficked children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies. Child victims of trafficking should be provided with appropriate assistance and protection and full account should be taken of their special rights and needs.

States and, where applicable, intergovernmental and non-governmental organizations, should consider, in addition to the measures outlined under Guideline 6:

1. Ensuring that definitions of trafficking in children in both law and policy reflect their need for special safeguards and care, including appropriate legal protection. In particular, and in accordance with the Palermo Protocol, evidence of deception, force, coercion, etc. should not form part of the definition of trafficking where the person involved is a child.

2. Ensuring that procedures are in place for the rapid identification of child victims of trafficking.

3. Ensuring that children who are victims of trafficking are not subjected to criminal procedures or sanctions for offences related to their situation as trafficked persons.

4. In cases where children are not accompanied by relatives or guardians, taking steps to identify and locate family members. Following a risk assessment and consultation with the child, measures should be taken to facilitate the reunion of trafficked children with their families where this is deemed to be in their best interest.

5. In situations where the safe return of the child to his or her family is not possible, or where such return would not be in the child's best interests, establishing adequate care arrangements that respect the rights and dignity of the trafficked child.

6. In both the situations referred to in the two paragraphs above, ensuring that a child who is capable of forming his or her own views enjoys the right to express those views freely in all matters affecting him or her, in particular concerning decisions about his or her possible return to the family, the views of the child being given due weight in accordance with his or her age and maturity.

7. Adopting specialized policies and programmes to protect and support children who have been victims of trafficking. Children should be provided with appropriate physical, psychosocial, legal, educational, housing and health-care assistance.

8. Adopting measures necessary to protect the rights and interests of trafficked children at all stages of criminal proceedings against alleged offenders and during procedures for obtaining compensation.

9. Protecting, as appropriate, the privacy and identity of child victims and taking measures to avoid the dissemination of information that could lead to their identification.

10. Taking measures to ensure adequate and appropriate training, in particular legal and psychological training, for persons working with child victims of trafficking.

Guideline 9: Access to remedies

Trafficked persons, as victims of human rights violations, have an international legal right to adequate and appropriate remedies. This right is often not effectively available to trafficked persons as they frequently lack information on the possibilities and processes for obtaining remedies, including

compensation, for trafficking and related exploitation. In order to overcome this problem, legal and other material assistance should be provided to trafficked persons to enable them to realize their right to adequate and appropriate remedies.

States and, where applicable, intergovernmental and non-governmental organizations, should consider:

1. Ensuring that victims of trafficking have an enforceable right to fair and adequate remedies, including the means for as full a rehabilitation as possible. These remedies may be criminal, civil or administrative in nature.

2. Providing information as well as legal and other assistance to enable trafficked persons to access remedies. The procedures for obtaining remedies should be clearly explained in a language that the trafficked person understands.

3. Making arrangements to enable trafficked persons to remain safely in the country in which the remedy is being sought for the duration of any criminal, civil or administrative proceedings.

Guideline 10: Obligations of peacekeepers, civilian police and humanitarian and diplomatic personnel

The direct or indirect involvement of peacekeeping, peace-building, civilian policing, humanitarian and diplomatic personnel in trafficking raises special concerns. States, intergovernmental and non-governmental organizations are responsible for the actions of those working under their authority and are therefore under an obligation to take effective measures to prevent their nationals and employees from engaging in trafficking and related exploitation. They are also required to investigate thoroughly all allegations of trafficking and related exploitation and to provide for and apply appropriate sanctions to personnel found to have been involved in trafficking.

States and, where appropriate, intergovernmental and non-governmental organizations, should consider:

1. Ensuring that pre- and post-deployment training programmes for all peacekeeping, peace-building, civilian policing, humanitarian and diplomatic staff adequately address the issue of trafficking and clearly set out the expected standard of behaviour. This training should be developed within a human rights framework and delivered by appropriately experienced trainers.

2. Ensuring that recruitment, placement and transfer procedures (including those of private contractors and sub-contractors) are rigorous and transparent.

3. Ensuring that staff employed in the context of peacekeeping, peace-building, civilian policing, humanitarian and diplomatic missions do not engage in trafficking and related exploitation or use the services of persons in relation to which there are reasonable grounds to suspect they may have been trafficked. This obligation also covers complicity in trafficking through corruption or affiliation with any person or group of persons who could reasonably be suspected of engaging in trafficking and related exploitation.

4. Developing and adopting specific regulations and codes of conduct setting out expected standards of behaviour and the consequences of failure to adhere to these standards.

5. Requiring all personnel employed in the context of peacekeeping, peace-building, civilian policing, humanitarian and diplomatic missions to report on any instances of trafficking and related exploitation that come to their attention.

6. Establishing mechanisms for the systematic investigation of all allegations of trafficking and related exploitation involving personnel employed in the context of peacekeeping, peace-building, civilian policing, humanitarian and diplomatic missions.

7. Consistently applying appropriate criminal, civil and administrative sanctions to personnel shown to have engaged in or been complicit in trafficking and related exploitation. Intergovernmental and non-governmental organizations should, in appropriate cases, apply disciplinary sanctions to staff members found to be involved in trafficking and related exploitation in addition to and independently of any criminal or other sanctions decided on by the State concerned. Privileges and immunities attached to the status of an employee should not be invoked in order to shield that person from sanctions for serious crimes such as trafficking and related offences.

Guideline 11: Cooperation and coordination between States and regions

Trafficking is a regional and global phenomenon that cannot always be dealt with effectively at the national level: a strengthened national response can often result in the operations of traffickers moving elsewhere. International, multilateral and bilateral cooperation can play an important role in combating trafficking activities. Such cooperation is particularly critical between countries involved in different stages of the trafficking cycle.

States and, where applicable, intergovernmental and non-governmental organizations, should consider:

1. Adopting bilateral agreements aimed at preventing trafficking, protecting the rights and dignity of trafficked persons and promoting their welfare.

2. Offering, either on a bilateral basis or through multilateral organizations, technical and financial assistance to States and relevant sectors of civil society for the purpose of promoting the development and implementation of human rights-based anti-trafficking strategies.

3. Elaborating regional and subregional treaties on trafficking, using the Palermo Protocol and relevant international human rights standards as a baseline and framework.

4. Adopting labour migration agreements, which may include provision for minimum work standards, model contracts, modes of repatriation, etc., in accordance with existing international standards. States are encouraged effectively to enforce all such agreements in order to help eliminate trafficking and related exploitation.

5. Developing cooperation arrangements to facilitate the rapid identification of trafficked persons including the sharing and exchange of information in relation to their nationality and right of residence.

6. Establishing mechanisms to facilitate the exchange of information concerning traffickers and their methods of operation.

7. Developing procedures and protocols for the conduct of proactive joint investigations by law enforcement authorities of different concerned States. In recognition of the value of direct contacts, provision should be made for direct transmission of requests for assistance between locally competent authorities in order to ensure that such requests are rapidly dealt with and to foster the development of cooperative relations at the working level.

8. Ensuring judicial cooperation between States in investigations and judicial processes relating to trafficking and related offences, in particular through common prosecution methodologies and joint investigations. This cooperation should include assistance in: identifying and interviewing witnesses with due regard for their safety; identifying, obtaining and preserving evidence; producing and serving the legal documents necessary to secure evidence and witnesses; and the enforcement of judgements.

9. Ensuring that requests for extradition for offences related to trafficking are dealt with by the authorities of the requested State without undue delay.

10. Establishing cooperative mechanisms for the confiscation of the proceeds of trafficking. This cooperation should include the provision of assistance in identifying, tracing, freezing and confiscating assets connected to trafficking and related exploitation.

11. Exchanging information and experience relating to the implementation of assistance, return and integration programmes with a view to maximizing impact and effectiveness.

12. Encouraging and facilitating cooperation between non-governmental organizations and other civil society organizations in countries of origin, transit and destination. This is particularly important to ensure support and assistance to trafficked persons who are repatriated.

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Operational activities of the United Nations for international development cooperation: reports of the Executive Boards of the Untied Nations Development Programme/United Nations Population Fund, the United Nations Children's Fund and the World Food Programme

Annual report of the Executive Director of the United Nations Children's Fund to the Economic and Social Council

Note by the Secretariat**

1. In its decision 2002/2, of 21 January 2002, the Executive Board of the United Nations Children's Fund (UNICEF) requested the Executive Director to transmit the document entitled "Annual report to the Economic and Social Council" (E/ICEF/2002/4 (Part 1)), together with the comments made by the delegation at the first regular session of the Board, to the Economic and Social Council for consideration at its substantive session of 2002.

2. Part one of the present document contains the annual report of the Executive Director. Part two contains the summary of deliberations of the Executive Board on the annual report of the Executive Director.

* E/2002/100.

** The document was submitted late to the conference services without the explanation required under paragraph 8 of General Assembly resolution 53/208 B, by which the Assembly decided that, if a report is submitted late, the reason should be included in a footnote to the document.

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Part one
Annual report of the Executive Director to the Economic and Social Council*

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* Originally issued as document E/ICEF/2002/4 (Part I).

Abbreviations

ACC	Administrative Committee on Coordination
AIDS	acquired immunodeficiency syndrome
CCA	Common Country Assessment
CERF	Central Emergency Revolving Fund
DGO	Development Group Office
ECHA	Executive Committee on Humanitarian Affairs
EPF	Emergency Programme Fund
HIV	human immunodeficiency virus
IAAP	Inter-Agency Advisory Panel
ICRC	International Committee of the Red Cross
MDGs	Millennium Development Goals
MICS	multiple indicator cluster surveys
MTSP	medium-term strategic plan
NGOs	non-governmental organizations
PRSPs	Poverty Reduction Strategy Papers
TCPR	Triennial Comprehensive Policy Review
UNDAF	United Nations Development Assistance Framework
UNDG	United Nations Development Group
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFPA	United Nations Population Fund
UNHCR	Office of the United Nations High Commissioner for Refugees
UNMAS	United Nations Mine Action Service
WFP	World Food Programme

I. Implementation of the reform programmes of the Secretary-General and the provisions of the triennial comprehensive policy review

1. At the time of finalization of the present report, the General Assembly was in the early stages of discussion leading to its adoption of a resolution on the triennial policy review. As in previous review years, when adopted, this document will become the basis for further action by UNICEF and other United Nations Development Group (UNDG) members in enhancing the operational activities of the United Nations. In anticipation of this review, at its July 2001 session, the Economic and Social Council adopted only a procedural resolution on operational activities, not requiring specific action by United Nations agencies. The present report, therefore, responds to earlier decisions of the Council on operational activities.

A. Structures and mechanisms

2. The effective functioning of UNDG as a substantive decision-making body is based on a high level of commitment of all members, an evolving submachinery and an effective joint support structure. With the addition of the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the Food and Agriculture Organization of the United Nations in 2001, UNDG membership now totals 18, and includes most of the key agencies in the field-based operational activities of the United Nations system. During 2001, the support mechanisms were streamlined through a zero-base review, resulting in the creation of two working groups — programme and management — each chaired at the Assistant Secretary-General level. These two subsidiary groups effectively mirror the United Nations System Chief Executives Board for Coordination (formerly the Administrative Committee on Coordination (ACC)) structure, enabling UNDG to interface more effectively with the broader system on operational issues. Leadership of the working groups rotates among agencies, with sunset provisions for the bodies and semi-annual results reviews.

3. UNDG operations and meetings are effectively serviced by the Development Group Office (DGO). In an ongoing oversight role, the UNDG Support Group meets every two weeks to review ongoing work of the working groups and prepare meetings of principals in the Executive Committee or the full UNDG. UNDG and the Executive Committee each meet in alternative months, with additional ad hoc meetings of the Executive Committee called as necessary to review urgent issues of major importance.

4. During the past year, the major programme issues handled through these mechanisms included the following:

(a) The development and issuance of guidance notes for country teams related to UNDG involvement in Poverty Reduction Strategy Papers (PRSPs) and collaboration with the Bretton Woods institutions; follow-up to the United Nations General Assembly Special Session on HIV/AIDS; the role of United Nations country teams in support of monitoring the Millennium Development Goals (MDGs); the application of a rights-based approach to programming; and programming for the United Nations Girls' Education Initiative;

(b) The preparation of options for harmonized programme preparation and planning procedures among the United Nations Development Programme (UNDP), the United Nations Population Fund (UNFPA), UNICEF and the World Food Programme (WFP);

(c) Initial follow-up to the external evaluation of the Common Country Assessment/United Nations Development Assistance Framework (CCA/UNDAF) carried out for the Triennial Comprehensive Policy Review (TCPR).

5. Major issues dealt with during the year through the Management Group and its various subgroups were the modification and strengthening of the resident coordinator selection and appraisal methodologies; the expansion of United Nations houses and common premises; initiatives for the application of an expanded concept of common services; the introduction of a more proactive inter-agency staff mobility programme; and guidance to country teams on harmonizing conditions of service of national project personnel.

6. These mechanisms were also increasingly used to develop common UNDG positions or contributions to broader processes. A consolidated UNDG input for the preparation of the Secretary-General's "road map" for the implementation of the Millennium Declaration was developed, as was a common position on the Secretary-General's peace-building proposals and follow-up to the Brahimi report of the Panel on United Nations Peace Operations. In a joint process with the Executive Committee on Humanitarian Affairs (ECHA), UNDG also developed proposals for strengthening relations between the United Nations and the European Union in the development and humanitarian fields. Increasingly, joint meetings of UNDG, ECHA and the Executive Committee for Peace and Security are being held to address issues with multisectoral implications involving peace and security, development, humanitarian activities and human rights.

7. As the year ended, UNDG and is substructures were fully engaged in developing responses and common approaches to the aftermath of the 11 September attacks and the situation in Afghanistan, creating a task force to review and develop ideas for humanitarian and reconstruction/rehabilitation efforts and interacting closely with the Afghanistan Integrated Mission Task Force.

8. This joint pursuit of common interests and results on specific issues provides clear evidence of the increasing value and effectiveness of UNDG. It is an ongoing process in which UNICEF remains fully engaged and participates at all levels.

Problems and lessons learned

9. While UNDG strives to ensure the effective functioning of its structures and mechanisms and, through the introduction of a more rational structure, mirroring the ACC structure, there is some concern about the resulting workload for headquarters staff, including the demands it has placed on the time of executive heads which are growing with the expansion of UNDG itself. As is clear from the evaluation of field-level experiences with the introduction of CCA/UNDAF, coordination has costs in terms of time and financial/human resources. There is, therefore, a need for continued vigilance to ensure that there is value added in new processes and initiatives. This calls for strict prioritization of initiatives and issues as part of a rigorous results-based work planning process for UNDG.

Recommendations

10. The Council may wish to:

(a) *Take note* of the UNDG structures now in place and *welcome* the efforts of UNDG to rationalize its subsidiary machinery and ensure a results-based approach to its work;

(b) *Reaffirm* the need for continued, close cooperation between UNDG members and the subsidiary machinery of the United Nations Chief Executives Board for Coordination;

(c) *Encourage* further use of the UNDG machinery for the implementation of the outcomes of the TCPR of 2001 and reporting thereon.

B. Funding and resources

11. The introduction of a pledging event in the context of the multi-year funding framework was held for the second time during the first regular session of the Executive Board in 2001. It has led to a number of positive outcomes:

(a) The predictability of current year regular resources has increased, with an indication of the likely availability of funds from a greater number of Governments at the beginning of the year;

(b) The ability of UNICEF to effectively manage its resources has improved, with the availability of payment schedules from 15 Governments;

(c) The predictability of future years resource availability has also improved, with 30 Governments providing either firm or tentative pledges for the next year;

(d) There has been some improvement in burden sharing among donors.

12. The trend in regular resources income from Governments to UNICEF in 2001 is similar to that experienced in 2000, where UNICEF received $1 million less than in 1999. The stagnation in regular resources income, which for the first time dropped to less than 50 per cent of total income in 2000, is of deep concern to UNICEF. Regular resources are the foundation for UNICEF country programmes and make it possible for UNICEF to respond quickly to changing priorities as well as emergencies, while at the same time ensuring a long-term planning perspective. It is of great importance that this declining trend be reversed to safeguard the essence of the organization and its capacity to deliver critical assistance to children and meet the programme targets in the medium-term strategic plan (MTSP).

13. UNICEF appreciates the increased amount of other resources received as it allows the organization to expand the reach and depth of country programmes and for emergency relief.

Recommendations

14. The Council may wish to:

(a) *Encourage* Member States to increase their annual voluntary contributions to regular resources;

(b) *Encourage* Governments in a position to do so to provide multi-year commitments and payment schedules to the pledging event held each year at the first regular session of the Executive Board.

C. Resident coordinator system

15. Strengthening the resident coordinator system remains a top priority for UNDG, and these efforts proceeded on several fronts. The most significant of these was the introduction of a new assessment methodology which, like other initiatives related to the resident coordinator system, was carried out by the UNDG Working Group on Resident Coordinator Issues.

16. A review of the established assessment system for potential resident coordinators highlighted several concerns, including the risk/possibility of false positives and false negatives, the need to ensure that the competency model and the assessment centre adequately reflect requirements for effective humanitarian response, and the need to address gender and cultural sensitivity. A new contract for developing and implementing a revised assessment system was awarded and, after extensive reviews and consultations within the United Nations system and a pilot exercise, the new methodology was adopted by UNDG in July.

17. The key improvements made in the new assessment procedure include:

(a) Ensuring that humanitarian response and preparedness capacities are adequately covered;

(b) Introducing a competency-based interview to help complement and supplement the outcomes of the other written, individual and group exercises;

(c) A thorough review and revision of the content of the individual exercises to eliminate/reduce likely agency, culture and gender bias in performance, while allowing for key values and attitudes to emerge, particularly on gender;

(d) Ensuring that due space and time are given to candidates for whom English is not a first language to perform optimally;

(e) Revising the scoring and integration system for different competencies.

18. A series of assessments were held in mid-2001, each lasting three days and covering about 12 participants. In total, 66 candidates took the assessment: 35 were from UNDP; 26 were from other agencies, funds and programmes; and 6 were external candidates. Twelve were sitting/former resident coordinators/humanitarian coordinators and 18 were women.

19. With respect to the actual selection procedures, the Inter-Agency Advisory Panel (IAAP) — an inter-agency group responsible for reviewing candidates and making recommendations — met in September, and reviewed the procedures and practice over the last three years of nominating resident coordinator candidates. This exercise revised policies and procedures to ensure that only the best candidates are selected in a timely and effective manner. The panel recommended several measures directed towards streamlining and the improved operationalization of existing policies and guidelines, fast tracking of resident coordinator/humanitarian coordinator posts and expansion of the candidate pool.

20. In another step taken to monitor and strengthen the performance of resident coordinators, UNDG Executive Committee agencies agreed to financial arrangements for establishing modalities for a 180-degree feedback exercise.

21. During the year, UNICEF participated in the Working Group on the Resident Coordinator System — which it chaired — as well as that of IAAP. As of 30 November 2001, three UNICEF staff members were serving as resident coordinators. In addition, one UNICEF special representative was serving as Acting Humanitarian Coordinator, and one UNICEF country representative was in an extended resident coordinator a.i. position.

Problems and lessons learned

22. As of December 2000, out of 120 resident coordinators, some 20 were from agencies other than UNDP (17 per cent) and 31 were women (26 per cent). By June 2001, out of 115 resident coordinators, some 22 (19 per cent) were from agencies other than UNDP and 30 were women (26 per cent).

23. While there has been measurable progress in the past year towards an enhanced and diverse pool of resident coordinators, the low number of females remains a cause for concern. The policy adopted by UNDG in November 2001 aims at ensuring that 50 per cent of candidates proposed by all agencies for the resident coordinators assessment are women. In addition, a more determined effort will be made to recruit more resident coordinators with experience in humanitarian affairs for countries in special development situations or in post-conflict recovery.

24. The length of time involved in the selection of resident coordinators requires a more flexible form of inter-agency selection procedures to ensure rapid placement. In particular, UNDG has agreed to publish the list of vacancies in advance and to expedite the new policies and practices of the Inter-Agency Selection Panel in order to minimize the time between the departure of one resident coordinator and the arrival of his/her successor in a country office.

Recommendations

25. The Council may wish to:

(a) *Take note* of the progress made in strengthening the assessment process for resident coordinators and in broadening the pool of candidates, especially the efforts to promote a cultural and gender-neutral assessment;

(b) *Encourage* all entities participating in the resident coordinator system to put forward for the assessment at least 50 per cent women staff members;

(c) *Call for* rapid progress in improving the appraisal of the performance of resident coordinators and country teams.

D. Implementation of the Common Country Assessment/ United Nations Development Assistance Framework

26. During 2000, some 46 countries were expected to initiate the development of their UNDAFs. This large number constituted a major challenge for individual agencies as well as UNDG. While overall progress in developing CCAs was good, only a few of these countries managed to complete UNDAFs during the year.

Although in many cases the UNDAF process was well under way, this disconnect between completed UNDAFs and resultant country programmes of individual agencies remained an impediment to realizing the full potential of UNDAF.

27. In late 2000, UNDG agencies concluded that CCA/UNDAF required improved integration into individual programming procedures. This would streamline individual programming procedures and thereby lighten the demands of CCA and UNDAF. Subsequently, a UNDG Working Group on Harmonization of Programme Approval Processes prepared proposals for making the CCA and UNDAF a more integral part of respective programming processes, thus creating a UNDG process for the development, preparation and approval of country programmes that harmonizes timing, process and major documentation. Now approved by the UNDP/UNFPA Executive Board, these proposals will be reviewed shortly by the UNICEF and WFP Executive Boards.

28. The full integration of CCA and UNDAF into each agency's programming process will represent a significant step towards timely and effective universal implementation of these instruments. While in 2001 only 11 additional countries embarked on the development of UNDAFs, it is considered that overall performance has improved. Insistence that each country undertaking a CCA/UNDAF take full advantage of the technical support available to country teams through DGO and the United Nations Staff College also helped to ensure more timely and effective processes. A growing accumulation of experience and lessons learned, the exchange of good examples and practices, the increasing understanding of the concepts and processes at the country level, and effective support, guidance and monitoring from headquarters and regional levels have helped to ensure that the processes in the 2001 roll-out countries have been more timely and effective.

29. UNICEF continued to offer additional support to its country offices engaged in CCAs/UNDAFs as part of the regular support provided to countries preparing new country programmes. The inclusion of United Nations reform and the CCA/UNDAF as standard items for regional management team meetings has also helped to keep the processes on track in terms of time as well as quality. The creation of internal support capacity and increased understanding of the importance and value of these processes among managers as well as programme and operations staff have been a key goal in 2001. Modules on CCA/UNDAF and United Nations reform have also been included in the revised and updated "Programme Planning and Procedures" training package of UNICEF. In addition, the regular UNICEF orientation now provides newly appointed representatives and other senior leaders with elements related to the CCA/UNDAF and to United Nations reform in general.

30. UNICEF continued to provide carefully selected candidates for the training of resource persons and team builders carried out under the auspices of DGO and the United Nations Staff College. By the end of 2001, UNICEF had a network of some 15 trained and highly committed staff who had undergone training in Turin and were available to support United Nations country teams in their mainstreaming of CCA/UNDAF into the regular work of headquarters-, regional- and country-level offices.

Problems and lessons learned

31. Problems experienced in the implementation of CCAs/UNDAFs were documented extensively in the external assessment of UNDAF as well as in reviews

conducted as part of the preparations for the TCPR. In addition, a UNDG/ACC workshop held in March 2001 to review the external evaluations provided further insight into ways in which these processes could be strengthened.

32. In July 2001, the UNDG Executive Committee approved a follow-up action plan to strengthen implementation of CCA/UNDAF. Action was foreseen in five areas: strengthening/changing the guidance provided to country teams and partners; improving and reorienting training, primarily through the Turin Staff College, but also within agencies; strengthening and rationalizing how agencies learn about these instruments and related issues, as well as how lessons learned are disseminated; strengthening and mainstreaming management and accountability within the resident coordinator system and within agencies; and harmonizing and simplifying programming tools and procedures, particularly programme preparation and clearance procedures, which are critical for achieving quality improvement in CCA/UNDAF.

33. Actions undertaken by agencies include revision of training materials, strengthening internal accountability, and dissemination of guidance and lessons learned. These measures have included the development of guidelines on the relationship between CCAs/UNDAFs and PRSPs, revamping of the basic training package provided through the United Nations Staff College at Turin, and the development of harmonized procedures and documentation for the country programme development process. UNDG also endorsed several measures to strengthen the quality of CCA/UNDAF and increase accountability:

(a) United Nations country teams would be reminded to ensure ownership of the CCA and UNDAF processes by Governments and the involvement of all stakeholders, including civil society;

(b) The CCA/UNDAF Learning Network would be activated to better identify good practices in terms of ownership, participation, strategic focus and results orientation. These should be shared with all country teams as part of a continuing process of strengthening guidance and support;

(c) The regional or programme structures of each agency, and of the Executive Committee members in particular, would be requested by the respective agency head to give substantially higher priority to their participation in the Learning Network and to the monitoring and support of the CCA/UNDAF process;

(d) DGO would explore the potential for linking DevLink, RCNet and the Learning Network into a common United Nations system network;

(e) UNDG would invite ACC to consider positively (through the successor arrangements to the Consultative Committee on Programme and Operational Questions Working Group on the Resident Coordinator System) joining UNDG members in ensuring that effective participation in CCA and UNDAF processes becomes an element of performance appraisal and assignment of field representatives;

(f) The respective regional and/or programme structures of UNDG members should meet at least once every three months to ensure that effective CCA/UNDAF processes are taking place. The possibility of inter-agency consultations at the country level, involving key headquarters and regional staff, should be explored for selected countries. Also, the possibility of organizing consultations at the regional or

subregional level should be considered, in which case regional structures such as the regional commissions and some specialized agencies may be able to participate;

(g) Drawing up of a common text for directives to their regional/programme structures, and to ensure that the respective directives are shared and followed up.

34. At the beginning of 2001, all four Executive Committee member agencies also issued instructions to their regional and country offices requesting the inclusion of accountabilities for CCA/UNDAF in the performance plans and assessments of representatives and other key staff.

Recommendations

35. The Council may wish to:

(a) *Welcome* the efforts already undertaken by UNDG to increase the quality and effectiveness of the CCA and UNDAF processes, in particular efforts to enhance national ownership and participation;

(b) *Encourage* resident coordinators and country teams to continue to improve the quality of UNDAFs and their responsiveness to national priorities;

(c) *Welcome* the efforts of the funds and programmes to mainstream the CCA and UNDAF into their own programme planning and development procedures, and to ensure greater accountability among staff at headquarters, regional and country office levels;

(d) *Request* the funds and programmes to take systematically into account the outcome of the TCPR in their further efforts to help countries enhance the relevance and impact of CCA and UNDAF.

E. Harmonization of programmes and procedures

36. During 2001, UNDG continued to look into ways of promoting harmonization and simplification of programming and operational procedures. Monitoring of programme cycle harmonization has been mainstreamed into the regular activities of agencies. Guidance on joint programming was developed and disseminated as a reference tool for country teams. The Management Group examined procedures and practices relating to national staff and drew up a number of recommendations. These were circulated to country teams, which were encouraged to explore all possibilities for harmonizing practices related to conditions of service for locally recruited personnel.

37. Most significant, however, was the ongoing effort to harmonize and synchronize the programme preparation and approval procedures of UNDP, UNICEF, UNFPA and WFP. This will improve the work of UNDG agencies at country and headquarters levels. It will assist in the timely preparation of CCAs and UNDAFs and contribute to improving the quality and relevance of these instruments. Agencies have also made progress in simplifying individual programming procedures to minimize any additional workload caused by the introduction of the CCA and UNDAF.

38. A key requirement has been the need to avoid increasing burdens on country offices and national authorities. With UNICEF staff often playing a substantive role

in developing CCAs and UNDAFs — particularly in countries where the presence and capacity of other members of UNDG are limited — the need to streamline internal processes is critical. Thus, UNICEF also sought ways in which the internal processes of country programme development, management and implementation could be streamlined. This resulted in proposed changes to the timing and nature of analytical and assessment work that UNICEF carries out with national and other partners on the situation of children, and simplification of documentation required for the country programme itself. This will eventually lead to streamlining of requirements in terms of annual reports and other management tools. The revisions will come into force during 2002, pending approval by the Executive Board.

Problems and lessons learned

39. The Executive Boards, as well as senior management, of the funds and programmes must combine their efforts, in their respective spheres of competence, in order to accelerate and expand simplification and harmonization of procedures while maintaining acceptable standards of accountability. Simplification and harmonization in areas such as financial management, personnel and reporting on implementation require intergovernmental decisions as well as commitments by each individual agency.

Recommendations

40. The Council may wish to:

(a) *Welcome* the progress achieved by UNDP, UNFPA, UNICEF and WFP in the harmonization of their country programme preparation and approval processes;

(b) *Encourage* the members of UNDG to ensure effective implementation of the new harmonized procedures;

(c) *Encourage* all members of UNDG, in their harmonization and simplification efforts, to seek further ways of reducing the transaction costs of country programming.

F. Gender mainstreaming and gender balance

41. Induced by country and regional consultations with a broad spectrum of partners, UNICEF advocacy since Beijing+5 has focused on four themes: gender equality starts early; women's rights and girl's rights are interdependent; children's rights cannot be achieved without girl's rights; and community-based partnerships are needed to end all forms of violence, prevent HIV/AIDS and manage care services (in particular for populations in complex emergencies).

42. UNICEF continues its commitment to leadership in the United Nations Girls' Education Initiative, a 10-year programme launched by the Secretary-General that builds on the Education for All movement to support girls' education and eliminate the gender gap and bias. With the active membership of 13 United Nations entities, current activities include the distribution of an advocacy brochure, circulation of a guidance note to country teams and preparation of a training module. During the upcoming year, the focus will be on the further building of partnerships and the provision of support to country teams.

G. Common premises and services

43. The UNDG Working Group on Common Premises and Services, currently chaired by UNICEF, continues to provide information and technical support to United Nations country teams in pursuit of creating United Nations Houses. During 2001, eight missions were undertaken to nine countries. To date, 46 United Nations Houses have been officially designated by the Secretary-General, including the designation of five new United Nations Houses in 2001.

44. United Nations agencies are recognizing that common services can offer enhanced quality and cost-saving opportunities in times of shrinking resources and complex operational challenges. In November 2001, the UNDG Working Group, in conjunction with the United Nations Staff College and DGO, completed a training workshop as part of an 18-month common services pilot programme sponsored by the United Kingdom Department for International Development. The programme will be evaluated with a goal of developing a global rollout of United Nations common services, and revising, if necessary, the operational guidelines on common services.

Recommendation

45. The Council may wish to:

(a) *Take note* of the approach to common premises and services;

(b) *Encourage* further progress;

(c) *Reaffirm* the requirements for shared management, transparency, accountability and cost-effectiveness.

H. Cooperation with the World Bank

46. UNICEF continues to expand and deepen its partnerships with the Bretton Woods institutions, particularly the World Bank. There are regular policy and operational meetings between the World Bank and UNICEF at both headquarters and the country level.

47. A major issue in the relationship with the World Bank is the complementarity of programme frameworks and the extent of collaboration in their preparation. The PRSP process has created new opportunities for a policy dialogue on actions to benefit children. The common position of the United Nations system at the country level, in line with the 20/20 Initiative and the overarching goal of poverty reduction, is that the bulk of potential savings from debt relief measures should go towards funding basic social services.

48. A major focus of UNDG and UNICEF interaction with the World Bank in the past year has been cooperation in the preparation of PRSPs and CCAs/UNDAFs, with special reference to the interrelationships between the two. UNICEF has maintained regular contact with the Bank through semi-annual consultations on critical policy and operational issues, and also participated in the UNDG/World Bank Learning Group that has focused on experiences in the implementation of PRSPs and the linkage with CCAs/UNDAFs. This process has enabled UNDG to develop and send to country teams a guidance note on the PRSP, incorporating

clarification of the relationship between the different instruments and practical guidance to make the United Nations contribution more effective in pursuing national poverty reduction.

Problems encountered and lessons learned

49. While UNDG funds and programmes are encouraged by intergovernmental processes to ensure close collaboration with the Bretton Woods institutions, and the World Bank in particular, there is a sense that similar encouragement is not given to the World Bank to cooperate more closely with UNDG. The Bank may fail to appreciate the unique contribution that the United Nations system as a whole as well as individual agencies can bring to poverty reduction processes.

50. In many of the newer areas of collaboration, such as HIV/AIDS, post-conflict reconstruction or peace-building, the roles and responsibilities are not clearly defined. The establishment of a clearer definition of the respective areas of work is an important requirement.

Recommendations

51. The Council may wish to:

(a) *Welcome* the adoption of the UNDG guidance note to United Nations country teams on the PRSP;

(b) *Encourage* the dialogue of UNDG members with the World Bank in order to establish closer linkages among instruments such as UNDAF and PRSP, where applicable;

(c) *Invite* the Bretton Woods institutions to cooperate more closely in the development of CCAs and UNDAFs.

I. Monitoring, evaluation and indicators

52. The year 2000 marked the culmination of a wide range of activities related to the end-decade assessment of progress towards the World Summit for Children goals. To fill data gaps, more than 60 countries conducted multiple indicator cluster surveys (MICS), and an additional 35 countries carried out Demographic and Health Surveys supported by the United States Agency for International Development. UNICEF provided technical support to countries conducting surveys through technical workshops covering survey design and implementation, data processing, data analysis and report writing. A fourth set of regional workshops is currently in progress aimed at creating microdata files that will facilitate the further analysis of the MICS data, which constitute an invaluable resource for programme planning and evaluation by national Governments and others.

53. UNICEF carried out global and regional assessments of progress in the situation of children and women over the decade, which formed the basis for the Secretary-General's end-decade report in 2001. These assessments were based on a review of national end-decade reports and on data from a wide range of sources, including routine and administrative systems, and household surveys, including MICS. Detailed country-specific information, as well as the full set of technical tools for conducting MICS, have been published on the Internet.

54. The analysis of trends over the last decade were utilized in the development of goals and targets for the next decade, as articulated in the draft outcome document on "A world fit for children" (A/AC.256/CRP.6/Rev.3). In addition, over one half of the indicators proposed for monitoring progress on the MDGs are the same as those included in the Secretary-General's end-decade report. For these indicators, therefore, there is a much improved database from which to measure future progress on the MDGs.

55. Within UNICEF, the use of programme audit and self-assessment techniques has increased. Country programme management plans provide the basis for a more systematic analysis of institutional performance. Evaluation policy and guidance to country offices have been further clarified, and a results-based management focus has been strengthened in the forthcoming version of the programme policy and procedures manual. The integrated monitoring and evaluation plan sets clear ex-ante performance expectations and schedules performance assessment activities during programme implementation. Office management plans provide the basis for monitoring performance of headquarters divisions and regional offices in the accomplishment of the MTSP objectives.

56. UNICEF is developing the basic principles and methodology for the evaluation of country programmes, and tests have been done in two countries. UNICEF has established, in coordination with the Office for the Coordinator of Humanitarian Affairs, the Office of the United Nations High Commissioner for Refugees (UNHCR) and WFP, a framework for carrying out inter-agency evaluations of humanitarian response. A model terms of reference for a joint evaluation was developed and tested in one country.

57. Electronic networking has become the popular medium for receiving and disseminating evaluation methodologies, findings and lessons learned. The UNICEF Evaluation Office has distributed an updated CD-ROM on monitoring and evaluation training materials to every country office, and is in the process of testing and finalizing draft materials on monitoring and evaluation in unstable and crisis contexts. The UNICEF evaluation database is being upgraded in response to the increasing demand for institutional learning. UNICEF has given strong support to national capacity-building efforts for evaluation, particularly in Africa where it supported the establishment of a national association on evaluation. Such efforts have resulted in active information-sharing networks and the formation of some 20 national associations.

Problems and lessons learned

58. With greater awareness of the need for the more effective use of resources and for greater transparency and accountability, there is an increasing demand for the presentation of results of UNICEF activities. In response, evaluation practices are being strengthened to support decision-making at project, country programme, strategic and policy levels. The use of existing information is also emphasized to avoid duplication of efforts.

59. There is United Nations-wide recognition for establishing harmonized and effective United Nations performance monitoring systems. Such systems would demonstrate the effectiveness and efficiency of inter-agency mechanisms such as UNDAF and CCA. An inter-agency working group on evaluation, of which UNICEF is an active partner, is addressing this challenge.

Recommendations

60. The Council may wish to:

(a) *Request* the United Nations system to set standards for the evaluation function so that it may serve the governance, policy, programme and activity levels of management;

(b) *Request* the United Nations system to identify ways of accelerating system-wide collaboration for strengthening country-level monitoring and evaluation capacity;

(c) *Request* all United Nations agencies to design their respective databases for evaluations and lessons learned so as to ensure compatibility and smooth interfacing;

(d) *Request* the United Nations system to report on the extent of progress on the harmonization of evaluation practices as requested by the Council six years ago.

II. Integrated and coordinated implementation and follow-up to the outcomes of major United Nations conferences and summits

61. The series of international conferences and General Assembly special sessions of the 1990s, culminating in the Millennium Summit of late 2000, now provide the basis for the United Nations system to support Governments in activities directed towards development and poverty eradication; peace, security and disarmament; environment; human rights, democracy and good governance; protecting the vulnerable; Africa; and strengthening the United Nations itself. While UNICEF has focused much of its attention on follow-up to the World Summit for Children and preparations for the United Nations General Assembly Special Session on Children, now scheduled for May 2002, it has also participated in the follow-up to other relevant conferences and special sessions through ACC and as a partner in UNDG, as well as directly through its own programmes.

62. Follow-up to the Millennium Declaration and work towards the MDGs were detailed in the Secretary-General's "road map" document, reviewed by the General Assembly at its fifty-sixth session. UNICEF contributed to the preparation of the "road map" document and is an active partner in its implementation, results monitoring and reporting, as outlined by the High Level Committee on Programmes of ACC in mid-2001.

63. The road map requires the utilization of a series of child-specific indicators to measure progress against overall development goals: the prevalence of underweight children; the ratio of girls to boys in primary, secondary and tertiary education; the proportion of one-year-olds immunized against measles; and the number of children orphaned by HIV/AIDS. The five organizational priorities of UNICEF for 2002-2005, as set out in the MTSP, will contribute directly to goal attainment as spelled out in the road map. The five priorities are: girl's education; integrated early childhood development; immunization "plus"; fighting HIV/AIDS; and increased protection of children from violence, abuse, exploitation and discrimination.

64. UNICEF was active with its UNDG partners in clarifying and defining the framework of the MDGs, targets and indicators, working in close collaboration with the United Nations, particularly the Office of the Secretary-General and the Department of Economic and Social Affairs, and with the specialized agencies, the World Bank, the International Monetary Fund and the Organisation for Economic Cooperation and Development. UNDG prepared a guidance note for country-level reporting of the MDGs, distributed to field representatives in November 2001. At present, there are pilot MDG reports in 13 countries, with the United Republic of Tanzania pilot having been presented to the Economic and Social Council in July 2001.

65. With respect to the Global Strategy Framework on HIV/AIDS and UNICEF prioritized action in reference to this framework, UNICEF is working closely in coordination with other core partners and has assumed a lead role for interventions aimed at the prevention of parent-to-child transmission; the reduction of the risk for and vulnerability of young people; and the protection and care of children orphaned or made vulnerable by HIV/AIDS. Since effective responses to the epidemic require the integration of education, prevention and care strategies, the UNICEF country programme approach will allow for operationalization of the synergy among them, especially at the community level. Here, UNICEF will facilitate interaction among key social groups and government service providers, non-governmental organizations (NGOs), parents living with HIV/AIDS, households headed by children and adolescents.

66. UNICEF remains active in several aspects of implementation of the Habitat Agenda. Legal reform and advocacy in favour of "child-friendly" cities have remained central in the popular "Mayors as Defenders of Children" initiative supported by UNICEF. UNICEF promotes a decentralized and participatory approach to empower people to care for children and protect their rights. The emphases are both process and results, with a focus on sustainable basic services for all in a healthy and safe environment.

67. One of the major challenges for UNICEF has been to ensure that others mobilize the needed resources for children. For example, the special focus on gender issues in urbanization has transformed the way local authorities and social groups approach matters of urban governance, housing rights, basic services and urban violence. To accomplish this, UNICEF has cooperated closely with other agencies in UNDG, the Committee on the Rights of the Child, the Office of the High Commissioner on Human Rights, the World Health Organization, the International Labour Organization, UNESCO, and the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography. As co-sponsor of the Joint United Nations Programme on HIV/AIDS, UNICEF has coordinated its efforts with communities and civil society organizations to combat the pandemic in the special conditions created by densely populated urban settings.

68. UNICEF continues to work actively in the inter-agency preparations for the series of special session scheduled for 2002: the International Conference on Financing for Development; the Special Session of the General Assembly on Children; the World Food Summit; and the World Summit on Sustainable Development.

Problems and lessons learned

69. The coordinated follow-up to conferences has created a wide set of goals and targets. Translation into specific areas of action and implementation at the country level, as well as effective monitoring and evaluation of results, have provided a major challenge. Now, with the adoption of the Millennium Declaration, there is a limited set of clearly defined targets and goals with universal recognition and an explicit recognition of the interlinkages among various sectors, hitherto often regarded separately: development; humanitarian action; peace and security; and human rights. A large proportion of country teams has already made significant efforts to reorganize their reporting of activities along the lines of the MDGs. A number of country teams have also used discussion of the Millennium Goals as a means for achieving an enhanced dialogue with national organizations and groups.

70. A challenge remains, however, in establishing links between coordination instruments such as CCA and UNDAF and the Millennium Goals. Thus, in the annual reports of the resident coordinators, several country teams stated that CCA provided them with a tool for assessing progress made towards implementation at the national level of the goals and targets set out at the global conferences. The challenge, therefore, is to retain the country-led specificity of the CCA and UNDAF with the need to meet international commitments made at the Millennium Summit. Thus, CCA indicators should include, but not be limited to, the indicators developed to monitor the MDGs.

71. Successful follow-up to the Millennium Declaration will require appropriate political support and adequate financial resources. In too many country cases, the volume, consistency and reliability of financial support have failed to match expectations created by the event itself. In this regard, the upcoming Financing for Development Conference will represent an important milestone. Additionally, greater use of the 20/20 Initiative and support for PRSPs would provide strong support.

Recommendations

72. The Council may wish to:

(a) *Note* the progress made in the integrated follow-up to conferences and the Millennium Summit as well as in the conference-specific follow-up under appropriate lead agencies;

(b) *Call upon* Governments to provide leadership in the follow-up to conferences, and for all stakeholders, including bilateral donors, to participate actively in this process;

(c) *Welcome* the development of the MDG indicator framework as a way to strengthen conference follow-up and monitoring of the MDGs at the country level;

(d) *Encourage* country teams to monitor follow-up to global conferences and summits, especially through the goals and targets enshrined in the Millennium Declaration, and for the annual reports of the resident coordinator and of the individual agencies to take these fully into account;

(e) *Call upon* Member States to make available adequate resources for the full implementation of conference plans of action and the MDGs.

III. Humanitarian and disaster relief assistance

73. Although the Economic and Social Council did not agree on a substantive concluding document at its 2001 session, UNICEF has continued its active role in advocating for children's concerns in conflict and post-conflict situations and in humanitarian operations.

74. UNICEF worked closely with the Office of the Special Representative for Children and Armed Conflict and other United Nations departments in the preparation of the report of the Secretary-General to the Security Council on children and armed conflict. The moving statement of a 14-year-old ex-combatant from Sierra Leone highlighted consideration of this item by the Security Council — the first time a child has participated in a Security Council meeting. The resulting resolution provides for the inclusion of child protection concerns in the work of the Security Council, as well as in the work of peace-keeping and peace-building missions, United Nations agencies, international financial institutions and regional organizations. Other areas of active involvement by UNICEF included small arms, the protection of civilians, conflict and the private sector, the humanitarian impact of sanctions, human rights, and humanitarian action and gender.

75. UNICEF continues to work through the Inter-Agency Standing Committee and it various reference groups, as well as being a member of ECHA and the Executive Committee on Peace and Security on a variety of policy and operational issues related to humanitarian and disaster relief. During the year, action was taken to establish an Inter-Agency Working Group for the integration of child protection concerns in peace-keeping, peace-making and peace-building operations. Established jointly by the Department of Peace-keeping Operations, the Department of Political Affairs, the Office of the Special Representative of the Secretary-General for Children and Armed Conflict and UNICEF, this group will develop recommendations and guidelines on the ways in which child-related issues can be better integrated into the political work of the United Nations.

76. During 2001, UNICEF used its Emergency Programme Fund (EPF) to retain emergency response capacity in key emergencies where external resources were slowly disbursed or where there were opportunities to accelerate programmes. The EPF was used in the Sudan (Operation Lifeline from Khartoum as well as from Nairobi), Afghanistan, Angola, Liberia, Burundi, Guinea, Côte d'Ivoire, the south-eastern Europe region (The former Yugoslav Republic of Macedonia and the Federal Republic of Yugoslavia), the Central America region (El Salvador, Guatemala, Honduras and Nicaragua) and Cuba.

77. Additionally, UNICEF accessed funding from the Central Emergency Revolving Fund (CERF) to jumpstart emergency actions for children and women affected by the protracted humanitarian situation in Sudan. Another major area of involvement during the year was addressing the acute needs of internally displaced persons and refugee women and children affected by the crisis in Afghanistan and its neighbouring countries, for which UNICEF borrowed from CERF to enable pre-positioning of critical supplies as well as for cross-border operations.

78. During 2001, UNICEF worked closely with the United Nations Mine Action Service (UNMAS), UNDP and other United Nations agencies involved in mine action to develop the United Nations Mine Action Strategy 2001-2005 and the United Nations Sectoral Policy on Information Management for Mine Action.

UNICEF has also developed its own mine action strategy in order to fulfil its broader child protection mandate, its specific mine action mandate and the commitments it has made as part of the United Nations strategy. The UNICEF mine action strategy will be launched in January 2002.

79. On behalf of the United Nations, UNICEF is developing the mine awareness and risk reduction education components of the International Mine Action Standards, and supplementary technical notes on monitoring and evaluation, as well as defining the mine awareness and risk reduction requirements for the Information Management System for Mine Action. These and other global projects and tools are being developed under the auspices of the Inter-Agency Steering Committee for Mine Action, through a Standing Mine Awareness Working Group set up by UNICEF and comprising United Nations agencies, the International Committee of the Red Cross (ICRC), the International Campaign to Ban Landmines and a range of NGOs engaged in mine awareness/risk reduction and/or advocacy.

80. In addition to its global role in providing mine awareness/risk reduction coordination and technical guidance, UNICEF is engaged in mine awareness/risk reduction, advocacy and/or victim assistance to varying degrees in some 30 countries, and in 2001, for the first time, placed one of its staff as Chief, Mine Awareness Office, in a United Nations Mine Action Coordination Centre in cooperation with the United Nations Mission in Ethiopia and Eritrea, UNMAS and UNDP. UNICEF continues to advocate for universal ratification of the Anti-Personnel Mine Ban Convention, and is supporting the call of ICRC for the Convention on Certain Conventional Weapons to be strengthened by an Optional Protocol on Explosive Remnants of War. In order to work more closely with ICRC, the International Federation of Red Cross and Red Crescent Societies, UNHCR, WFP and other European-based agencies, a land mines officer was appointed to the UNICEF Office of Emergency Programmes in Geneva in October 2001.

81. The safety and security of UNICEF and all United Nations personnel remain a very high priority, with staff members continuing to face enormous risks in the course of carrying out their duties. In the last nine years, 224 national and international staff members have been killed, over 250 have been taken hostage, and countless others have been the victims of rape, robbery, carjacking and other violent crimes. The urgent need to enhance the United Nations Security Management System has now been widely recognized, with endorsement by the Advisory Committee on Administrative and Budgetary Questions of a proposal by the Secretary-General to appoint a full-time Security Coordinator and enhance the capacity of the Office of the United Nations Security Coordinator, including a considerable increase in the number of professional security officers employed at headquarters and in the field. This proposal is currently under review by the General Assembly. There is agreement by the United Nations and its funds, programmes and specialized agencies on a new cost-sharing formula for safety and security expenditures projected at $53 million over the next biennium. While the impact of these improvements will be considerable, there is still the need for host Governments to take greater responsibility for the safety of United Nations staff and to do more to bring to justice those responsible for attacks against them.

Part two
Summary of the deliberations of the Executive Board on the annual report of the Executive Director to the Economic and Social Council*

10. The Director, Office of United Nations Affairs and External Relations, introduced the Executive Director's annual report to the Economic and Social Council (E/ICEF/2002/4 (Part I)) on the follow up to Economic and Social Council and General Assembly resolutions. The document was prepared in accordance with an approved format and one that was common with the corresponding reports to the UNDP/UNFPA and WFP Executive Boards. The report covered implementation of the Secretary-General's reform programmes and of the Triennial Comprehensive Policy Review (TCPR) as well as relations with the World Bank, follow-up of the major international conferences and a brief section on responding to humanitarian crises. In addition, under this agenda item, there was a report of the Executive Director on follow-up to the reports of JIU. There were four reports of relevance to UNICEF. Copies of the reports were made available in the room and were available on the JIU web site.

11. With respect to the follow-up to the Council, the report focused on the various aspects of the TCPR, the latest round of which had not yet been completed at the time the report was finalized. In light of this, the secretariat provided an update based on the current situation.

12. A number of delegations commended the secretariat for the useful report and expressed their appreciation that it followed the agreed upon format. The focus on the reform efforts of the Secretary-General and the TCPR were noted with appreciation. However, some delegations requested that future reports focus on UNICEF's own experiences and lessons learned with regard to participation in the United Nations Development Group (UNDG), the resident coordinator system, Common Country Assessments/United Nations Development Assistance Frameworks (CCAs/UNDAFs) and Poverty Reduction Strategy Papers (PRSPs), and that the reports be more analytical. Some delegations expressed interest in seeing an analysis of how CCAs, UNDAFs and better coordination in general have affected UNICEF country programmes and what have been the benefits.

13. Noting that the CCA/UNDAF had been discussed extensively in the TCPR, some delegations reiterated the need to improve the quality of both the process and the product. They also welcomed the efforts undertaken by UNICEF to integrate these instruments into its own programming procedures.

14. Several speakers expressed concern about the decline in core resources and the increase in non-core funding, as they saw that the current situation could affect the multilateral nature of the funds and programmes.

15. Turning to the resident coordinator system, a number of delegations noted with concern the low number of females and UNICEF staff serving as resident coordinators.

16. Progress towards simplification and harmonization was met with approval, but several delegations noted that much work remained to be done. In this regard some

* Excerpt from the report of the Executive Board of the United Nations Children's Fund on the work of its first regular session of 2002. The complete report will be issued as document E/2002/34 (Part I).

speakers said that they looked forward to a substantive discussion on the subject at the joint meeting of the Executive Boards. One delegation reminded the secretariat that the process should aim to lessen the burden on Governments.

17. Strengthened cooperation with the Bretton Woods institutions, particularly in the context of poverty reduction strategies, was encouraged by a number of delegations, with some offering to assist in the effort if needed. A speaker recommended that the secretariat proceed cautiously in order to ensure that conditionalities, which were part of the framework of the Bretton Woods institutions, did not affect the work of UNICEF. (See E/ICEF/2002/8 (Part I), annex II, decisions 2002/2 and 2002/3, for the texts of the decisions adopted by the Executive Board.)

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Item 14 (a) of the provisional agenda*
Social and human rights questions: advancement of women

Report of the Board of Trustees of the International Research and Training Institute for the Advancement of Women**

I. Introduction

1. In its resolution 56/125 on the critical situation of the International Research and Training Institute for the Advancement of Women (INSTRAW), the General Assembly decided to establish a working group to make recommendations to the General Assembly on the future operation of the Institute. Accordingly, it was decided to postpone the twenty-second session of the Board of Trustees, scheduled for 2002, pending the outcome of the working group. To inform the Board of Trustees and seek their views and guidance on the current status of the Institute, a brief on INSTRAW developments during 2001 and current status of the Institute (see annex) was prepared by INSTRAW and sent electronically to members of the Board. The Board approved the work programme and estimated budgetary requirements for 2002.

II. Matters brought to the attention of the Economic and Social Council

2. Having considered the brief, the Board of Trustees:

(a) Took note of the brief on INSTRAW developments during 2001 and current status of the Institute;

(b) Welcomed the fact that the Institute and the Special Representative of the Secretary-General for INSTRAW kept the Board informed of the activities

* E/2002/100.

** The document was submitted late to the conference services due to the late receipt of comments from the members of the Board of Trustees.

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undertaken during 2001 and other important developments pertinent to the operation of the Institute;

(c) Expressed its appreciation to the General Assembly for the adoption of resolution 56/125, by which a working group was established to make recommendations on the future operation of the Institute. The Board also welcomed the support of Member States in providing INSTRAW with the resources required to enable the Institute to continue to operate until the General Assembly has considered the recommendations of the working group;

(d) Agreed that, in view of the fact that the twenty-second session of the Board of Trustees has been postponed and the terms of the President and Vice-President of the Board come to an end on 30 June 2002, Antigoni Karali-Dimitriadi, Rapporteur for the twenty-first session of the Board, should assume the Presidency until new elections for a full Bureau are held;

(e) Took note of the recent appointment of an Interim Manager/Director to oversee the work of the Institute pending the outcome of the working group;

(f) Expressed the hope that the working group established in compliance with paragraph 4 (a) of General Assembly resolution 56/125 will yield viable measures for addressing the Institute's current difficulties. The Board also expects that the implementation of such measures will be carried out with due consideration to the achievements of INSTRAW and the potential benefits of its Gender Awareness Information and Networking System (GAINS). It further expressed the hope that in the implementation of such measures due consideration will be given to the well-being of the Institute's staff;

(g) Requested the Secretary-General to keep the Board duly informed regarding the developments, recommendations and decisions that emanate from the working group.

Annex

Brief on INSTRAW developments during 2001 and current status of the Institute

I. Introduction

1. The present document outlines the efforts and progress made in the implementation of the programmes of the International Research and Training Institute for the Advancement of Women (INSTRAW) during the period from May 2001 to January 2002 and describes how the Gender Awareness Information and Networking System (GAINS) has been used as a tool to enhance these programmes. It also highlights new institutional challenges that have emerged and the critical situation of the Institute.

II. Executive direction and management

2. In response to General Assembly resolution 55/219 of 12 February 2001, during the second quarter of 2001 the Director undertook, as an urgent priority, the development of a new fund-raising strategy. The strategy included a list of potential funding sources as well as promotional material on the INSTRAW mandate and a new working modality.

3. Other endeavours undertaken by the Director for increasing the support of Governments to INSTRAW included: (a) missions to Italy, Spain and the European Union; (b) a new proposal for the implementation of subsequent phases of GAINS, namely phases III and IV; (c) preparation of a portfolio of special extrabudgetary projects for submission to Member States; and (d) follow-up actions with Member States, including the Government of the Host Country, to pursue the payment of pledges made to the Institute during previous years which remain outstanding.

4. Since the departure of the former Director at the end of July 2001 and pending the outcome of the working group on the future operations of INSTRAW established under General Assembly resolution 56/125, the Institute was managed by an Officer-in-Charge, in close consultation with the Department of Economic and Social Affairs of the United Nations Secretariat. The executive and representational functions were performed under guidance of the Office of the Special Adviser on Gender Issues and Advancement of Women.

5. During August 2001, the Office of Internal Oversight Services conducted an audit on the operation and financial management of INSTRAW as a follow-up to a previous audit conducted by the Office in 1997. The findings and recommendations are contained in a report to the General Assembly (A/56/907).

III. Implementation of the work programme through the Gender Awareness Information and Networking System[a]

6. As the INSTRAW Board of Trustees approved the proposed strategic focus, work plan and budgetary requirements for 2001 at its twenty-first session, the Institute continued to implement the work plan. With regard to the implementation of the Gender Awareness Information and Networking System (GAINS), the two main objectives of this work plan were: (i) to continue the expansion of GAINS functionality through the implementation of phases III and IV;[b] and (ii) to promote the empowerment of women and gender equality through training and capacity-building in information and communication technologies for women's organizations.

7. The following table illustrates the status of implementation of phases III and IV of GAINS.

Table 1
Status of implementation of phases III and IV of GAINS

Planned	*Status of implementation*
(i) Pilot-testing collaborative research methodologies, including delivery of concrete research outputs (state-of-the-art synthesis papers; policy recommendations resulting from collaborative research and regional and international virtual conferences conducted through GAINS)	Implemented through the project on men's roles in ending gender-based violence
(ii) Pilot-testing e-training:	Not implemented
Development of e-training strategy	
Development of e-training modules	
Conduct of e-training	

[a] The Gender Awareness Information and Networking System (GAINS) is a web-based integrated knowledge and information management system aimed at facilitating collaborative production, management and dissemination of research and training knowledge and information. The development of GAINS was initiated in 1999 as a result of a proposal made by the Secretary-General and General Assembly resolution 54/140, requesting that INSTRAW develop this system as a means of revitalizing the Institute.

[b] Implementation of phases I and II were reported on at the twenty-first session of the Board of Trustees. All components of these phases were completed with the exception of the design and implementation of monitoring and evaluation methodology for GAINS, which remains to be implemented.

Planned	*Status of implementation*
(iii) Expansion and consolidation of the GAINS network through:	Partially implemented
Development of network work plans	
Selection of advisory board	Ongoing
Conducting collaborative research; training and information; dissemination activities	
(iv) Further expansion, refinement and maintenance of database	Ongoing
(v) Expansion of GAINS into other official United Nations languages	Spanish web site, network and database updated and expanded

Pilot-testing of collaborative research methodology

8. In April 2001, INSTRAW launched a research project on men's roles and responsibilities in ending gender-based violence to pilot test its new web-based, collaborative research methodologies. For this project, the Institute set up an ad hoc network-based community consisting of 560 members. Through a listserv, this community participated in a virtual seminar series and engaged in discussions of working papers. It also established a separate web site that included facilities for participants to share links and resources and conduct online discussion forums and seminars.

9. The virtual seminar series consisted of an online/e-mail-based series of seminars focusing on men's roles in ending gender-based violence. During the seminars, interested partners discussed specific aspects of the issue, facilitated by a moderator and background discussion papers. A total of four seminars were conducted on the following themes:

(a) How can conversations around men, "masculinities" and power help us understand and end gender-based violence?

(b) Learning from men's pro-feminist movements and gender activism around the world;

(c) Connecting ending gender-based violence to other development and social justice goals — exposing the linkages;

(d) What you can do, from individual advocacy to national campaigns, including problems and success stories of the Autumn Campaign — International White Ribbon.

One final seminar wrapped up the discussions of the four seminars, presented the results of an evaluation survey conducted with participants and drew lessons learned from the project.

10. In order to broaden the dialogue concerning men, masculinities and ending gender-based violence, INSTRAW launched a series of working papers. It was envisioned that the papers in this series would bring new ideas to the existing body of knowledge by highlighting research and case studies that may not have had other outlets for publication. Drafts of the working papers were published online. Final versions of the working papers are currently being edited for publication in a single volume. INSTRAW has obtained an agreement from the United Nations to cover the printing costs of the publication. A book launch in collaboration with the United Nations Development Programme is planned for June 2002.

Pilot-testing e-training

11. Owing to the lack of specialized expertise, limited progress was made in developing and pilot-testing e-training methodology and projects. INSTRAW contracted an e-training specialist who developed a training strategy paper for INSTRAW. However, no specific strategies for e-training were proposed. In view of the persistent instabilities confronting INSTRAW, its Board of Trustees and other relevant bodies need to examine its training role and mandate seriously in line with its institutional capacity and competitive advantage.

Expansion and consolidation of the GAINS network

12. Special efforts were made to expand and consolidate the INSTRAW platform of networks. The number of GAINS network members continues to grow as requests for applications are received on a regular basis.

13. The following table illustrates the progress made in building the GAINS network from March 2001 to February 2002.

Table 2
Growth of the GAINS network, 2001-2002

	Focal points	*Regional nodes*	*Research organizations and individual researchers*	*Trainers and training organizations*	*Specialists in information and communication technologies*
March 2001	99	27	93	31	16
February 2002	132	47	171	84	37

14. In May 2001, a needs assessment survey was conducted by INSTRAW among its network member organizations with an e-mail account (a total of 180). The assessment was designed to obtain information on the members' main fields of interest; the type of information the member would like to receive; the type of information they would like to post on the web site; their preferred type of involvement and support through GAINS; the manner in which they would like to share information with other members; and geographical and institutional background information on network member organizations. Some 59 organizations responded, a response rate of 32.7 per cent.

15. In response to the needs of its network members, in June 2001 INSTRAW launched the GainsNet listserv, which allows members of the gender community to communicate among themselves and share important information, experiences and views. As of now, the mailing list has 257 subscribers.

16. It must be pointed out, however, that the Institute was not able to consolidate the networks in terms of the establishment of network advisory boards and the development of network work plans.

17. The Institute also made efforts to streamline the navigation of its web site, making information easier to find. Further work will be undertaken to improve the navigation of the site and its accessibility to users with low-grade technology. In addition, a new web site structure has been developed and a new content has been produced which is ready to be integrated into a re-designed web site.

Further expansion, refinement and maintenance of the database

18. One of the important objectives of the INSTRAW work plan for 2001 was the further refinement and maintenance of the Database of Gender-based Resources. The database now consists of approximately 1,900 entries in both English and Spanish covering a range of issues across the 12 critical areas of the Beijing Platform for Action.[c] It is particularly strong on the INSTRAW areas of strategic interest, including gender-based violence; conflict and its prevention; men and masculinities in relation to gender-based violence; gender and information and communication technologies; gender aspects of ageing; and trade and macroeconomics.

19. Apart from substantially increasing the number of resources in the database, during 2001, INSTRAW undertook work aimed at improving the functionality of the database by making the search mechanism and the search result displays more user-friendly. New data were added within the areas of ageing, women and information and communication technologies, and violence against women. An annotated bibliography on gender and information and communication technologies, including resources on the Web, was elaborated in addition to a bibliography on women prisoners and the penal system. There were continuing efforts to expand the Spanish-language resources in the database.

Expansion of GAINS into other official United Nations languages

20. Owing to limited funds, GAINS was not translated into other official United Nations languages as requested by Member States. However, the following were accomplished:

(a) Expansion of the GAINS network among different language groups;

(b) Circulation of the *INSTRAW News* in English and Spanish, while an informal translation into Arabic was pioneered on a voluntary basis by a GAINS network member;

(c) Expansion of the GAINS database, with resources in Spanish.

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[c] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

Other GAINS-related developments

21. Several efforts were made towards improving the technical infrastructure of GAINS as well as the web site and database capabilities of GAINS during 2001. The Institute installed a new telephone connection to provide better and faster access of INSTRAW staff to the web site for the purposes of uploading changes and entering data into the database. In this regard, the Institute acquired the needed hardware and purchased the software necessary for the improvement and expansion of GAINS and its services.

IV. Financial and administrative issues

General support services

22. During the period under review, the essential administrative, financial and logistical services required for the Institute's operations and GAINS activities were provided by the administrative staff under the supervision of the Officer-in-Charge. Major tasks of the unit included providing assistance to the Office of Programme Planning, Budget and Accounts of the United Nations Secretariat for the preparation of the budgetary implications resulting from Economic and Social Council resolution 2001/40 and General Assembly resolution 56/125 regarding the Institute's operational viability beyond the year 2001. Following the audit by the Office of Internal Oversight Services (see para. 5 above), administrative decisions concerning the engagement of consultants and budgetary and personnel matters were cleared by the Special Representative of the Secretary-General for INSTRAW and the Executive Office of the Department of Economic and Social Affairs of the Secretariat.

Financial performance

23. The budgetary provisions discussed by the Board of Trustees for the Institute's core activities during 2001 were duly made available by the Office of Programme Planning, Budget and Accounts of the United Nations Secretariat. The resources provided were utilized on the implementation of the programme and operational activities outlined in the INSTRAW strategic programme and work plan, which focused on the further development of the GAINS methodology. Moreover, the level of expenditure actually incurred during the year was lower than anticipated owing to a freeze on the recruitment of the Chief Administrative Officer, as well as the vacancy produced by the departure of the former Director at the end of July 2001.

INSTRAW resource base

24. Despite repeated efforts to increase the level of governmental financial support to INSTRAW, the voluntary contributions received at its Trust Fund during 2001 amounted to $316,201. The Institute's expenditures during 2001 were below budgeted levels. Consequently, the resources available were sufficient to meet the Institute's requirements for the year, thus obviating the need to use the one-time regular budget subvention of $800,000 granted by the General Assembly in

December 2000 (see resolution 55/219). At the time of preparation of this brief, it is estimated that the balance of the INSTRAW Trust Fund, as at 31 December 2001, amounted approximately to $130,000, in addition to a reserve of $200,000, which has been set aside to cover final expenditures and liabilities in the event that the Institute must be closed down. Aside from these funds, during the 2001 United Nations Pledging Conference for Development Activities, held in New York in November 2001, the Institute received pledges in the amount of $19,365 in support of its 2002 activities.

25. At its fifty-sixth session, the General Assembly decided to disburse a provision of $650,000 as a subvention to the Institute, to ensure the continuation of its operations in 2002 (see resolution 56/240 A, para. 3).

Staffing resources

26. The D-2 post of Director was filled from 1 January through 31 July 2001. Pending the decision of the intergovernmental working group on the future operation of INSTRAW, in February 2002 it was decided to appoint an Interim Manager/Director. Owing to personal circumstances, the Interim Manager/Director was not able to assume her functions at INSTRAW, and another staff member will be appointed shortly to manage the Institute, pending the resolution of the situation of the Interim Manager/Director. As regards the Institute's Professional staff, the essential administrative services required for the Institute's operation have been provided by an Acting Administrative Officer. The other two Professional posts of gender analysts were filled by staff at the P-3 and P-2 levels. The five General Service posts approved in the 2001 staffing table remained filled throughout the year. The additional expertise required for the implementation of the Institute's new working method through GAINS was provided through the engagement of a team of international consultants who performed under the supervision of the INSTRAW Director and core staff. Up to December 2001, the GAINS team included a manager, a network coordinator, a research coordinator and a systems administrator. In addition, other support staff were temporarily engaged as individual contractors to provide the support services required for the functioning of GAINS, particularly in the areas of database inputting, networking and production of research materials.

V. Prospects for 2002 and beyond

27. In the report to the General Assembly at its fifty-sixth session, the Secretary-General advocated for the support of Member States to INSTRAW by stating that:

> "Despite the persistent difficulties and uncertainties that INSTRAW has confronted during the past two years, it has managed to secure minimal resources with which to respond to the mandates given by the Assembly and the Economic and Social Council. Given that the Institute has begun to achieve tangible results through GAINS, the Assembly may wish to decide the scope within which INSTRAW could operate beyond 2001 in a productive and cost-effective manner" (A/56/279, para. 25).

28. Despite these appeals, voluntary contributions from Member States have not been forthcoming.

29. In view of the limited resources available, INSTRAW, in collaboration with the Department of Economic and Social Affairs and the Office of Programme Planning, Budget and Accounts of the United Nations Secretariat, prepared a work programme and estimated budgetary requirements for 2002, which was approved by the Board of Trustees. This required a further reduction in the scope of the Institute's activities.

30. It is anticipated that the approved budget will allow the Institute to operate at a minimum level until the end of 2002, pending the decision of the General Assembly and the Economic and Social Council on the future of the Institute, to be made on the recommendation of the working group appointed under General Assembly resolution 56/125.

United Nations E/2002/71 (Part I)

Economic and Social Council

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Agenda item 12
Non-governmental organizations

Report of the Committee on Non-Governmental Organizations on its 2002 regular session (New York, 13-24, 29 and 30 May 2002)

Summary

At its 2002 session, held from 13 to 24 May and on 29 and 30 May 2002, the Committee on Non-Governmental Organizations had before it 161 applications for consultative status, including 92 applications deferred from its previous sessions. The Committee recommended that the Economic and Social Council grant consultative status to 93 organizations, defer consideration of 65 applications, close its consideration of two applications and take note of the withdrawal of one request for consultative status. The Committee also had before it nine requests for reclassification of consultative status; it recommended that three organizations be reclassified and deferred consideration of the other six requests to its 2002 resumed session.

The present report contains five draft decisions that call for action by the Council.

By draft decision I, the Council would:

(a) Grant consultative status to 93 non-governmental organizations;

(b) Reclassify three non-governmental organizations;

(c) Close consideration of the applications of three non-governmental organizations.

By draft decision II, the Council would take note that the Committee:

(a) Took note of 20 quadrennial reports;

(b) Adjourned the debate on one special report;

(c) Decided to close complaints submitted by States against four organizations.

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By draft decision III, the Council would authorize the Committee to hold a resumed 2002 session for a period of two weeks and three days, from 8 to 24 January 2003, in order to complete the work of its 2002 session.

By draft decision IV, the Council would request the Secretary-General to establish a general voluntary trust fund in support of the United Nations NGO Informal Regional Network.

By draft decision V, the Council would take note of the report of the Committee on its 2002 regular session.

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* Part two of the report is issued separately in document E/2002/71 (Part II).

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I. Matters calling for action by the Economic and Social Council

1. The Committee on Non-Governmental Organizations recommends to the Economic and Social Council the adoption of the following draft decisions:

Draft decision I
Applications for consultative status and requests for reclassification received from non-governmental organizations

The Economic and Social Council decides:

(a) To grant consultative status to the following 93 non-governmental organizations:

General consultative status

International Higher Education Academy of Sciences

National Association of Non-Governmental Organizations

Russian Academy of Natural Sciences

Special consultative status

A Woman's Voice International

Africa Infrastructures Foundation

American Society of Criminology

American Society of Safety Engineers

Antioch Christian Centre

Argentine Society of Pediatrics

Asian Indigenous and Tribal Peoples Network

Assembly of First Nations-National Indian Brotherhood

Assistance pédagogue internationale

Association européenne des cheminots

Association internationale de lutte contre le pauvreté et pour le développement

Association mauritanienne pour le bien-être et le secours de l'enfant et de la mere

Association marocaine d'aide à l'enfant et à la famille

Association marocaine de planification familiale

Association pour la defense des droits de la femme et de l'enfant

Associations pour la formation et l'insertion sociale de l'adolescent et de la femme

Becket Fund for Religious Liberty

Canada Family Action Coalition

Canadian Race Relations Foundation

Canadian HIV/AIDS Legal Network

Caribbean Association for Feminist Research and Action

Center for Oceans Law and Policy

Centre féminin pour la promotion du développement

Chinese People's Association for Peace and Disarmament

CARE (Christian Action Research and Education)

Comité international pour le respect et l'application de la Charte africaine des droits de l'homme et des peuples

Dominican Leadership Conference

Drug Watch International

Ethiopian World Federation

Family Health International

Federation of Women Lawyers in Kenya

Global Housing Foundation

Hawa Society for Women

Health on the Net Foundation

Hong Kong Federation of Women's Centres

Hope for Africa

Hope for the Nations

Imam Al-Sadr Foundation

Indonesian National Council on Social Welfare

Institute for Energy and Environmental Research

International AIDS Vaccine Initiative

International Association for Human Values

International Environmental Law Research Centre

International Federation of Inspection Agencies

International Fund For Animal Welfare

International Movement for Leisure Activities in Science and Technology

International Possibilities Unlimited

Interregional Union of Life Help for Mentally Handicapped Persons "Sail of Hope"

Jesuit Refugee Service

Jose Marti Cultural Society

Kitakyushu Forum on Asian Women

Kiwanis International

Korea Freedom League

Korea International Volunteer Organization

Lebanon Family Planning Association

Mariano y Rafael Castillo Cordova Foundation

Medical Aid for Palestinians

Medico International

National Association of Criminal Defense Lawyers

Netherlands Centre for Indigenous Peoples

Open Family Australia

Physicians for Social Responsibility

Pro Dignitate Foundation for Human Rights

Rainforest Foundation

Society of Automotive Engineers

Sovereign Military Order of the Temple of Jerusalem

Swedish Organisation of Disabled Persons International Aid Association

United Nations Watch

United World Colleges

Roster

Alumni Association of the Willem C. Vis International Commercial Arbitration Moot

Association angolaise pour les activités sociales

Association de développement de la vallée du Dra

Association francophone internationale des directeurs d'établissements scolaires

Association of American Railroads

Centre de documentation, de recherche et d'information des peuples autochtones

Christian Blind Mission International

Confederation of European Forest Owners

Confederation of German Forest Owners Associations

European Association of Automotive Suppliers

Femme développement entreprise en Afrique

Forests Monitor

Guinea Development Foundation

Kyrgyz Committee for Human Rights

Motorcycle Riders Foundation

National Council of the Saemaul-Undong Movement

Nippon Foundation

Rethinking Tourism Project

UNESCO Centre Basque Country

UNESCO Centre of Catalonia

Viva Network

(b) To reclassify:

(i) The Centro di Ricerca e Documentazione Febbraio 74 from special to general consultative status;

(ii) The International Council for Local Environmental Initiatives from the Roster to special consultative status;

(iii) The International Confederation of Midwives from the specialized agencies Roster to the Roster of the Economic and Social Council;

(c) To note that the Committee on Non-Governmental Organizations has decided to close consideration of the applications of the following three organizations:

Felege Guihon International (by a recorded vote);

German Advisory Council on global change (at the request of the organization);

Syrian Orthodox Church in America.

Draft decision II
Quadrennial reports, special reports and complaints

The Economic and Social Council takes note that the Committee on Non-Governmental Organizations:

(a) Took note of the quadrennial reports of the following 20 organizations (years of reporting indicated in parentheses):

African Society of International and Comparative Law (1995/1998)

Arab Organization for Human Rights (1997/2000)

Association of Arab-American University Graduates (1995/1998)

Commission for the Defense of Human Rights in Central America (1995/1998)

Earthjustice Legal Defense Fund (1995/1998)

Friends World Committee for Consultation (1996/1999)

International Council for Research and Innovation in Building and Construction (1994/1997)

International Electrotechnical Commission (1995/1998)

International Federation of Building and Wood Workers (1997/2000)

International Motor Vehicle Inspection Committee (1995/1998)

Lutheran World Federation (1996/1999)

Médecins sans frontières (International) (1997/2000)

National Bar Association (1995/1998)

National Wildlife Federation (1995/1998)

Physicians for Human Rights (1995/1998)

Resources for the Future (1995/1998)

Union internationale des avocats (1995/1998)

Union of Ibero-American Capitals (1997/2000)

Women, Law and Development International (1995/1998)

World Alliance of Young Men's Christian Associations (1995/1998)

(b) Has decided to adjourn the debate on the special report of the organization Freedom House;

(c) Has decided to close complaints submitted by States against the following four organizations:

United Towns Agency for North-South Cooperation;

International Federation of Human Rights Leagues;

Women's Human Rights International Association;

New Human Rights.

Draft decision III
Resumed 2002 session of the Committee on Non-Governmental Organizations

The Economic and Social Council decides to authorize the Committee on Non-Governmental Organizations to hold a resumed session for a period of two weeks and three days, from 8 to 24 January 2003, in order to complete the work of its 2002 session.

Draft decision IV
Establishment of the general voluntary trust fund in support of the United Nations NGO Informal Regional Network

The Economic and Social Council, recalling the provisions of its resolutions 1996/31 of 25 July 1996 and resolution 1999/34 of 28 July 1999, emphasizing the importance of non-governmental organizations worldwide in achieving a just, balanced, effective and genuine involvement from all regions of the world, and

in their evolving relationship with the United Nations; reaffirming the important role of the United Nations NGO Informal Regional Network (IRENE) in achieving NGO capacity-building to take part in United Nations work, support the coalition of NGOs and disseminate the work of the Council; stressing the vital part played by the regional networks in strengthening the partnership between the United Nations, NGOs and subregional and regional coordinators of the informal network; underlining the need to serve and facilitate communication and exchange among and between regions through cooperation and collaborative activities; recognizing the need for human and financial resources and technical assistance in order to ensure increased participation of NGOs from developing countries and countries with economies in transition in the work of the Council and its subsidiary bodies, and to work to ensure parity and an equitable and representative NGO presence and contributions to United Nations goals, including development goals as set out in the United Nations Millennium Declaration;[1] and fully recognizing the need to ensure the long-term viability of such an undertaking at its very initiation:

(a) Requests the Secretary-General to establish a general voluntary trust fund, on the basis of the terms of reference contained in the annex to the present decision, in order to achieve those aims and ensure an equal development of activities for NGOs in consultative status with the Council in all regions through the equitable division of available resources;

(b) Requests the Secretary-General to submit, for the review of the Committee on Non-Governmental Organizations at its annual sessions, a report on the implementation of the present decision.

Annex

United Nations NGO Informal Regional Network: terms of reference

Implementation of the United Nations NGO[2] Informal Regional Network will encompass, inter alia, the following activities:

- Establishing and managing an ongoing, regularly updated technology-based system designed to provide access to information and enable interactive exchange among NGOs regionally and interregionally, and between NGOs worldwide and the United Nations, through the Non-Governmental Organizations Section, Department of Economic and Social Affairs of the United Nations Secretariat.
- Providing training for network managers at the subregional levels and network users, as required.
- Designing and conducting capacity-building workshops, seminars and training programmes to strengthen NGO capabilities for effective contribution, at both operational and policy levels.
- Development and production of print and electronic training materials.
- Producing recurrent and occasional publications, such as newsletters, reports and analytical papers, to complement the electronic information dissemination programme and ensure universal accessibility.
- Development and maintenance of comprehensive database support.
- Organizing national, subregional and regional conferences/meetings, together with government, intergovernmental bodies, the United Nations and NGOs, with a view to facilitating and enabling an environment conducive to the development of an active and effective NGO sector.
- Convening annual planning and coordination meetings to bring together regional coordinators, informal network partners, the NGO Section and all other entities concerned with the implementation and management of the United Nations NGOs Informal Regional Network.
- Creating opportunities for NGOs to interact by, for example, convening meetings, organizing exchange visits or study tours in order to promote cooperation, sharing of resources and collaborative action among network participants.
- Responsibility for overall backstopping, oversight and development activities is to be undertaken by the NGO Section.
- Design and maintenance of a system of regular needs assessment, monitoring and evaluation to ensure that the Network is developing and functioning equitably, efficiently and effectively at both the regional and global levels.

Draft decision V
Report of the Committee on Non-Governmental Organizations on its 2002 regular session

The Economic and Social Council takes note of the report of the Committee on Non-Governmental Organizations on its 2002 session.[3]

Notes

[1] General Assembly resolution 55/2.

[2] For the purposes of the present terms of reference, "NGOs" refers to NGOs in consultative status with the Economic and Social Council.

[3] E/2002/71 (Parts I and II).